

## Notice of Intent to Certify Sole Source

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**To:** Interested Parties  
**From:** Craig P. Orgeron, Ph.D. *cro*  
**CC:** ITS Project Number 42110  
**Date:** September 22, 2015  
**Re:** Sole Source Certification Number 3810 for maintenance and modifications to the Methamphetamine Intelligence Narcotics Investigation (MINI) Case Management System for the Mississippi Bureau of Narcotics (MBN)  
**Contact Name:** Teresa Washington  
**Contact Phone Number:** 601-432-8049  
**Contact E-mail Address:** teresa.washington@its.ms.gov

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### **Sole Source Certification Award Details**

Regarding Information Technology Services (ITS) Sole Source Certification Number 3810 for maintenance and modifications to the Methamphetamine Intelligence Narcotics Investigation (MINI) Case Management System for the Mississippi Bureau of Narcotics (MBN), please be advised that ITS intends to award modifications to and continued maintenance of the MINI Case Management System to Courage Technologies, Inc. as the sole source provider of these services through July 31, 2018, in an amount not to exceed \$44,475.00. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

### **Sole Source Criteria**

1. The product or services being purchased must perform a function for which no other product or source of services exist:

**The Methamphetamine Intelligence Narcotics Investigation (MINI) Case Management System is used by MBN to manage documentation required for drug cases. The system also provides mandated state and federal reporting of drug and enforcement activity statistical information. Ongoing modifications are needed for improvement to the system and for changes for state and federal compliance. The system will also require ongoing maintenance. The system was purchased from Courage Technologies, Inc. in 2003 as a sole source. Courage Technologies has certified that they are the only company that can modify the system's code or provide maintenance for the software. The customer's sole source certification request is included as Attachment A.**

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

**Several modifications to the system are needed to continue to meet state and federal tracking and reporting requirements. No company other than Courage Technologies can modify the system. MBN is obligated to report quarterly to the Mississippi Legislature statistical information for numbers of arrests, prosecutions, and dismantled and disrupted drug trafficking organizations. MBN also reports pursuant to 28 CFR Part 23 guidelines to El Paso Intelligence Center (EPIC) regarding methamphetamine clandestine laboratory seizures, including chemical, glassware, equipment and dumpsite seizure information, and endangered children. The Intelligence Division submits a monthly diversion survey with required information involving pharmaceutical case initiation. MBN generates a comprehensive State Threat Assessment encompassing wide-ranging statistical data yearly to the Office of the Governor. The customer's sole source certification request is included as Attachment A.**

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

**Courage Technologies is the developer and sole distributor of the software and sole owner of all modules. No company or person other than Courage Technologies and its owners can add, delete, or modify the code, or provide maintenance for the software while the State has an Agreement with Courage Technologies, Inc. The vendor's sole source certification letter is included as Attachment B.**

4. Explain why the amount to be expended for the services is reasonable:

**Beginning in Fiscal Year 2006 and ending June 30, 2015, MBN has expended a total of \$94,016.03, of which \$58,700.00 was designated for maintenance and \$35,316.03 was spent on custom programming enhancements. The amount to be expended is \$24,975.00 for system modifications and \$19,500.00 for three years of maintenance. Compared to other systems that cost over \$250,000.00 for development alone, MBN sees the amount to be expended as reasonable.**

5. Explain what your agency did to obtain the best possible price for the services:

**Since Courage has built the case management system from the ground up, they have provided many useful ideas as well as services to better MBN's work product in different ways, utilizing programming ideas and services conceptually formed from other state contracts and amending the functions to serve the agency. This has allowed Courage to keep MBN's cost low. The interaction and communication over the years has enabled Courage to understand how narcotics agents work to progress cases to a conviction through the court system. Their interest in MBN's distinctive mission and understanding of their limited budget has allowed MBN to negotiate the best possible price and product with Courage Technologies.**

**Schedule**

<b>Task</b>	<b>Date</b>
First Advertisement Date	9/22/15
Second Advertisement Date	9/29/15
Response Deadline From Objectors	10/6/15, at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 10/7/15

## **Project Details**

In 2003, Courage Technologies developed a small methamphetamine database paid for with allocated Federal Methamphetamine Grant funds to accommodate reporting requirements for El Paso Intelligence Center (EPIC). The methamphetamine screens and data fields were later enhanced in 2005 by Courage Technologies when Gulf States Counterdrug Initiative, servicing several southern states (Mississippi, Alabama and Louisiana), withdrew funding of training, maintenance, and the actual case management program. As a result, MBN was left without a method to retrieve or enter any data records. MBN paid Courage Technologies with allocated Methamphetamine Grant Funds to transfer ongoing criminal cases, legacy data into the existing small methamphetamine database by adding necessary fields to hold the transfer of data. Courage Technologies has continued to enhance the MINI Case Management System over the past 12 years into a comprehensive case management product. MINI user roles consist of MBN Sworn and Contract Agents as well as civilian users whose modification and viewing rights are granted or restricted according to the security of their required duties performed in accordance to MBN's enforcement mission.

Courage Technologies has produced a suite of core narcotics functions that other vendors have submitted quotes for in excess of \$100,000.00 as an initial procurement cost. Representatives from MBN have travelled to intelligence units in Austin, Texas, Baton Rouge, Louisiana, and Birmingham, Alabama to research and view their case management systems. When compared and tested, none surpassed MBN's capability with multiple facets and modules interworking to service MBN's demanding case management needs.

In July 2006, MBN submitted a sole source request to ITS, to procure maintenance and modifications for MINI from Courage Technologies. ITS approved the procurement as a sole source, and continued to do so through June 30, 2015. MBN, by Legislative Statute, is the one State Law Enforcement Agency authorized to perform necessary and confidential investigations of suspected drug violators and violations of state regulations banning the use, manufacture, or distribution of such illegal substances. In order to perform this mission, extensive automated and paper files exist that track and monitor all known and suspected violators living in and around the geographic boundaries of the State. MINI complies with regulations, such as EPIC standards for monitoring methamphetamine cases through the Southern and Southwest regions. MINI also comprises modules for intelligence and case records, generating charts, graphs and statistical reports to MBN's administrative staff, field agents, field analysts, district attorneys, and Legislature for budget considerations and State threat assessment inquiries. MINI encompasses asset and forfeiture documentation, restitution, case dispositions, evidence management information, and departmental training obligations with career paths.

Beginning July 2006 and ending June 2015, MBN has expended a total of \$94,016.03 of which \$58,700.00 was used for maintenance cost and \$35,316.03 used for custom programming enhancements. The State has made a business decision to continue using the MINI Case Management System rather than purchasing a new system or terminating the Agreement with Courage Technologies to then maintain the source code with another vendor or internal staff.

## **Submission Instructions and Format of Response from Objecting Parties**

Interested parties who have reason to believe that the MINI Case Management System modifications and maintenance should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to Courage Technologies, Inc.

1.1 Interested Party Information

1.1.1 Contact Name, Phone Number and email address

1.1.2 Company Website URL, if applicable

1.2 Objection to Sole Source Certification

1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Tuesday, October 6, 2015, at 3:00 p.m. (Central Time) to Teresa Washington at [teresa.washington@its.ms.gov](mailto:teresa.washington@its.ms.gov) or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Teresa Washington to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4 Interested Party responses should include the following information:

**SUBMITTED IN RESPONSE TO  
Sole Source Certification No. 3810-42110  
Accepted until October 6, 2015 @ 3:00 p.m.,  
ATTENTION: Teresa Washington**

If you have any questions concerning the information above or if we can be of further assistance, please contact Teresa Washington at 601-432-8049 or via email at [teresa.washington@its.ms.gov](mailto:teresa.washington@its.ms.gov).

Attachment A: Customer Sole Source Certification Request

Attachment B: Vendor Correspondence

Attachment C: Sole Source Procurement Overview



## Sole Source Certification Request

<b>Project Title: MINI Maintenance and Modifications Stimulus (ARRA) Funds? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></b>				
<b>Customer Contact Information</b>				
Agency/Public University: Public Safety, Department of Address: 1900 East Woodrow Wilson Jackson, MS 39216			Contact Person: Johnston, Clay Phone: 601-933-2606 Fax: Email Address: cjohnston@dps.ms.gov	
MAGIC Customer Number (only required from state agencies): 7000000197 (DPS-Division of Safety Patrol)			Division/Dept: *** MBN 1711 *** Handmail: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Project Summary Narrative Description of Project</b> (include details of original acquisition if applicable): Extension of maintenance for existing licensed system. Ongoing modifications for improvements to the MBN MINI case management system and changes for state and federal compliance. *** MBN AGENCY CODE 1711 ***				
ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid): 7/31/2018				
<b>Cost Estimates</b> <i>Fiscal Year</i>	<i>Initial Costs</i>	<i>Ongoing Costs</i>	<b>Time Constraints</b> Item Needed by: 7/1/2015 Funds Expire:	<b>Anticipated Lifecycle of Products/System</b> (i.e. estimated years of effective use): 5 years
2016	\$7,500.00	\$6,500.00	Discuss Funding (e.g. how much of needed funding is definite, total project budget, any matching or other non-state funds) MBN Special Revenue Funds *** MBN AGENCY CODE 1711 ***	
2017	\$8,738.00	\$6,500.00		
2018	\$8,737.00	\$6,500.00		
<b>Total</b>	<b>\$24,975.00</b>	<b>\$19,500.00</b>		
<b>Acquisition Details</b>				
<b>Items Requested</b>	<b>Quantity</b>	<b>Description</b>	<b>Building Location(s)</b>	
<b>Describe platform &amp; infrastructure</b> (connectivity; software/hardware platforms; utilization of State Data Center resources; mainframe, eGovernment portal, payment engine, document management, hosting). For equipment or hosting outside the State Data Center, attach justification: System will continue to utilize server infrastructure located at MBN-HQ. *** MBN AGENCY CODE 1711 ***				
<b>Progress to Date:</b> What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? Worked with vendor to define needed changes and upgrades. *** MBN AGENCY CODE 1711 ***				
<b>Sole Source Certification</b> Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals.				
<b>Specific business requirements to be met by the requested products or services:</b> The Methamphetamine Intelligence Narcotics Investigation (MINI) Case Management System is used by MBN to manage documentation required for drug cases. The system also provides mandated state and federal reporting of drug and enforcement activity statistical information. Ongoing modifications are needed for improvement to the system and for changes for state and federal compliance. The system will also require ongoing maintenance.				
<b>Explain why these products or services are the only ones that can meet your needs</b> (include unique features/special functionality): Several modifications to the system are needed to continue to meet state and federal tracking and reporting requirements. No company other than Courage Technologies and its owners can modify the system. MBN is obligated to report quarterly to the legislature statistical information for numbers of arrests, prosecutions, and dismantled and disrupted drug trafficking organizations. MBN also reports pursuant to 28 CFR Part 23 guidelines to El Paso Intelligence Center (EPIC) regarding methamphetamine clandestine laboratory seizures, including chemical, glassware, equipment and dumpsite seizure information, and endangered children. The intelligence division submits a monthly diversion survey with required information involving				

Attachment A

pharmaceutical case initiation. MBN generates a comprehensive State Threat Assessment encompassing wide-ranging statistical data yearly to the Governor.						
<p><b>Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated):</b>                  Courage Technologies is the only company that can modify the system's code or provide maintenance for the software.</p>						
<p><b>Explain why the amount to be expended for the services is reasonable:</b>                  Beginning in Fiscal Year 2006 and ending June 30, 2015, MBN has expended a total of \$94,016.03, of which \$58,700.00 was designated for maintenance cost and \$35,316.03 was spent on custom programming enhancements. The amount to be expended is \$24,975.00 for system modifications and \$19,500.00 for three years of maintenance. Compared to other systems that cost over \$250,000.00 for development alone, MBN sees the amount to be expended as reasonable.</p>						
<p><b>Explain what your agency did to obtain the best possible price for the services:</b>                  Since Courage has built the case management system from the ground up, they have provided many useful ideas as well as services to better MBN's work product in different ways, utilizing programming ideas and services conceptually formed from other state contracts and amending the functions to serve the agency. This has allowed Courage to keep MBN's cost low. The interaction and communication over the years has enabled Courage to understand how narcotics agents work to progress cases to a conviction through the court system. Their interest in MBN's distinctive mission and understanding of their limited budget has allowed MBN to negotiate the best possible price and product with Courage Technologies.</p>						
<p><b>Vendor's Certification of Sole Source attached:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Vendor's proposal submitted:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>						
<p><b>MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.</b></p> <table border="0"> <tr> <td><b>Place Order To</b></td> <td><b>Remit To</b></td> </tr> <tr> <td><b>Vendor Name:</b> Courage Technologies, Inc.</td> <td><b>Vendor Name:</b> Courage Technologies, Inc.</td> </tr> <tr> <td><b>Vendor Address:</b> P.O. Box 5948, Brandon, MS 39407</td> <td><b>Vendor Address:</b> P.O. Box 5948, Brandon, MS 39407</td> </tr> </table>	<b>Place Order To</b>	<b>Remit To</b>	<b>Vendor Name:</b> Courage Technologies, Inc.	<b>Vendor Name:</b> Courage Technologies, Inc.	<b>Vendor Address:</b> P.O. Box 5948, Brandon, MS 39407	<b>Vendor Address:</b> P.O. Box 5948, Brandon, MS 39407
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By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

A. Santa Cruz - Commissioner - DPS  
 Name (Agency Head or Public University CIO)/Title

[Signature] 9/13/15  
 Signature Date

COMMISSIONER:	<u>[Signature]</u>	DATE: 9/16/15
LEGAL OFFICE:	<u>[Signature]</u>	DATE: 9/11/15
COMPTROLLER:	<u>[Signature]</u>	DATE: 9/10/15
ADMIN. OPERATIONS:	<u>[Signature]</u> CT	DATE: 9/24/15

**Courage Technologies, Inc.**  
P O Box 5948  
Brandon, MS 39047

May 11, 2015

Mr. Clay Johnston, ITS Director  
Department of Public Safety  
1900 East Woodrow Wilson  
Jackson, MS 39216

Sole-Source Verification  
MINI

Dear Mr. Clay:

This letter is to verify that Courage Technologies, Inc. is the developer and sole distributor of Integrity Software. Courage Technologies, Inc. is sole owner of all modules. No part or module is available from any other source.

No company or person other than Courage Technologies and its owners can make changes to the code. No one can add, delete or modify the code. No company or person other than Courage Technologies and its owners can provide maintenance for the software.

Thank you for allowing us to provide the MINI Program. If you need more information, please call (601) 278-6947.

Sincerely,



Ruth Garling, CEO  
Customer Satisfaction/Quality Assurance  
Courage Technologies, Inc.

## Attachment C: Sole Source Procurement Overview

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website ([www.its.ms.gov](http://www.its.ms.gov)).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1. The product or services being purchased must perform a function for which no other product or source of services exists,
2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1. An explanation about why the amount to be expended is reasonable, and
2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

## Attachment C: Sole Source Procurement Overview

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.