



STATE OF NEW MEXICO SOLE SOURCE REQUEST AND DETERMINATION FORM

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the State Purchasing Agent or, for Professional Services Agreements, the Secretary of the Department of Finance and Administration. The foregoing requirement is regardless of whether the *sole source request for determination* has been signed by the Agency and/or the Contractor.

I. **Name of Agency:** New Mexico Department of Workforce Solutions

Agency Chief Procurement Officer: Nicholas Reed

Telephone Number: (505) 841-8655

II. **Name of prospective Contractor:** Geographic Solutions Inc.

Address of prospective Contractor:

1101 Omaha Circle,
Palm Harbor, FL 34683

Amount of prospective contract: \$1,113,254.00

Term of prospective contract: July 1, 2019 to June 30, 2020

III. **Please thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:**

The purpose of this Agreement is to have the Contractor provide services and support to New Mexico Department of Workforce Solutions ("NMDWS") related to the New Mexico Virtual OneStop System ("NMVOSS") cloud hosted solution. The primary objective is to provide NMDWS with an appropriate level and range of services and support this mission-critical system. NMVOSS consists of the Virtual One Stop (VOS) program and Career Portal Support and Maintenance, the Virtual Labor Market Information (VLMI) module, the Re-Employment Exchange (REX) module (with hosting) including the Customer Relationship Management CRM functionality, VOSJobs, Career Solutions-Virtual Career Center which provides Federally compliant features as mandated by US Department of Labor.

IV. Provide an explanation of the criteria developed and specified by the agency as necessary to perform and/or fulfill the contract and upon which the state agency reviewed available sources. (Do not use “technical jargon;” use plain English. Do not tailor the criteria simply to exclude other contractors if it is not rationally related to the purpose of the contract.)

NMDWS is seeking to contract with Geographic Solutions Inc. (GSI) under the sole source provision of the Procurement Code. The department has contracted its NMVOSS system maintenance, support and hosting under a NM contract since 2002. GSI has been required by contract to meet all changes by the US Department of Labor (USDOL) federal reporting requirements and guarantee users state of the art functionality. The cloud hosted system is highly integrated with our UI Tax & Claims system. This integration provides:

- UI claimants with real-time workforce system registration and single sign on capacity with Agency log on accounts.
- UI claimants direct scheduling for ReEmployment counseling services at all of our Workforce Connection Centers throughout the state as supported by RESEA USDOL grant funding.
- UI claimants with real time current job openings and opportunities matching their career work history and profile.
- Provides workforce services including NMVOSS Learning Center.
- Provides Virtual One Stop (VOS) millions of quality and unduplicated job postings from across the internet. Career tools to allow job seekers to effectively find jobs that match their skills, values, and interest. User-friendly options to access the local labor market. Interface for employers looking to advertise jobs and recruit talent. Comprehensive information on education, training programs, and financial aid.
- Provides Re-Employment Exchange (REX) – A link between the UI system that monitors and ensures that claimants are fulfilling all of their work search requirements while providing labor exchange and labor market information that should help the claimant become reemployed. This solution focuses on providing the claimant all the tools for success in landing a suitable, good paying job. It also offers valuable information to employers who are looking to find good, qualified employees who meet their needs. REX allows agency staff the ability to track the claimant’s efforts and offer assistance and guidance when necessary.
- Virtual Labor Market Information (VLMI) – Provides labor market information to individuals seeking jobs, training and program information. Assist employers looking to recruit talent and assess the labor market. Helps providers to successfully promote the programs: and allows LMI professionals to automate their work and increase service efficiency.
- VOSjobs – Provides a “spidering” service that imports jobs from external sources like Monster or Career Builder as well as integration with the National Labor exchange.

- V. **Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor *the one source* capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)**

NMDWS, under the initial contract with GSI, has the right to use the Source Code but has no ownership rights and is bound by confidentiality provisions to protect it from third party and is specific to its proprietary product.

Therefore, GSI is the only company that can legally work on its proprietary software; and the only company that can provide and incorporate the UI claimant registration and work history information into the NMVOSS and its job bank repository; and GSI is the only company that can fully ensure the performance, the service activity; the service counts; and the overall reporting functionality; while meeting the deliverable expectations of Re-Employment Services (RES) Plan.

GSI, as per contract, is also bound to keep abreast of changing federal regulations; to make necessary changes in NMVOSS product to accommodate and to meet all federal regulations and changes; and to provide for new enhanced technologies.

- VI. **Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are *unique and how this uniqueness is substantially related to the intended purpose of the contract.***

Use of proprietary software, as defined by the contract, does not allow third party vendors to integrate technology with existing workforce programs components in NMVOSS. There are a few similar products in the marketplace, however with the integration between our UI System and NMVOSS this has become a unique mission critical system.

- VII. **Explain why other similar professional services, services, construction or item(s) of tangible personal property *cannot* meet the intended purpose of the contract.**

No other similar service would be integrated with the UI system. This is not a plug and play process. No other vendor can offer this product so the proprietary software is still applicable to any third party vendor.

VIII. Provide a narrative description of the agency's due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet; reviewing telephone books and other advertisements; contacting similar service providers; and reviewing the State Purchasing Agent's vendor list. Include a list of businesses contacted (*do not state that no other businesses were contacted*), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

GSI is the only legal supplier of their proprietary software.

Certified by:


Date: 4/26/19



Nicholas Reed
NMDWS Chief Procurement Officer

Agency Approval by:

Date: 4/26/19



Bill McCamley, Cabinet Secretary
New Mexico Department of Workforce Solutions

APPROVED:

Date: _____

State Purchasing Agent

If this sole source relates to a procurement of general services:

- 1) the signature of the State Purchasing Agent on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenges;
- 2) the sole source is granted as of the date of signature by the State Purchasing Agent; and
- 3) the signature of the State Purchasing Agent on this form is the final signature required for this sole source procurement.

If this sole source relates to a procurement of professional services:

- 1) the email from State Purchasing or the printout from the SPD database certifies the sole source has been posted for thirty (30) calendar days and has received no challenge(s); and
- 2) the signature of the Cabinet Secretary of the Department of Finance and Administration (below) is required; and
- 3) this sole source is granted as of the date of signature by the Cabinet Secretary of the Department of Finance and Administration.

APPROVED:

Date: _____

Cabinet Secretary Department of Finance and Administration

If this sole source is being submitted by a governmental agency or governmental entity not under the final authority of the State Purchasing Agent or the Department of Finance and Administration, neither the State Purchasing Agent's nor the Department of Finance and Administration Secretary's signature are required. Those signature lines may be removed from this form or marked as N/A.