



COUNTY OF MENDOCINO
Executive Office
Central Services Division

EB No. **23-103**

DARCIE ANTLE
CHIEF EXECUTIVE OFFICER
PURCHASING AGENT

EXCEPTION TO COMPETITIVE BIDDING PROCESS

SOLE/SINGLE SOURCE PURCHASING, AND DISCLOSURE STATEMENT

Request Date:	March 17, 2023	
Requesting Department:	Public Health – Environmental Health	
Contact Name:	Jessi Laughlin	
Contact No.	Email: laughlinj@mendocinocounty.org	Phone: 707-234-6648
Prior Sole Source Reference No.(s), if any:	EB No. 20-117	
Description of purchase or service:	Software for Environmental Health to allow synchronization with the State of California database and to improve efficiency.	
Requested Vendor:	Tyler Technologies, Inc.	
Estimated Total Cost: <i>(Attach all written quotations)</i>	\$378,467 (Original Contract \$145,422 + Amendments \$43,000 + Annual License Fees FY 21-24 \$190,045)	

OVERVIEW

State and local laws subject Mendocino County to competitive bidding rules. Requests for goods and/or services from a specific vendor or limited to a specific brand, where substitutes to the recommended vendor or brand are unacceptable, must be accompanied by a written justification (carefully documented on an 'Exception to Bidding' form) explaining the circumstances that make alternatives unacceptable. The employee signing the justification must disclose in writing whether or not he/she has a potential or actual conflict of interest. County employees who have a business relationship with or financial interest in the recommended vendor must disclose the conflict of interest. Any employee with an actual or potential conflict of interest may not participate in the purchase decision.

Employees signing the justification must disclose in writing whether or not he/she has a potential or actual conflict of interest. County employees who have a business relationship with or financial interest in the recommended vendor must disclose the conflict of interest. Any employee with an actual or potential conflict of interest may not participate in the purchase decision.

The Chief Executive Officer/Purchasing Agent or authorized designee will determine whether the justification is appropriate. Requests for exception must be supported by factual statements that will pass an audit.

Goods: Departments must also note that the County must comply with competitive bidding on purchases of goods in the amount \$10,000 or more. This competitive bidding process is conducted solely by the Executive Office/Central Services Division.

Services: Departments shall obtain competitive bids for personal and professional services contracts over \$25,000. If a department holds a contract between \$10,000 and \$25,000 for up to three years, said department shall obtain competitive bids for that contract before beginning the fourth year of said contract.

INSTRUCTIONS:

- Complete all relevant information and sections within the form.
- Provide full explanations, complete descriptions, and/or list all relevant reasons as requested.
- Sign and date the form.
- Improperly completed, and/or unsigned forms may be returned to the sender.

- Submit completed form to the County Counsel. Following their review, County Counsel will forward to the Executive Office (for service related requests, submit prior to the initiation of the contract process; for the acquisition of goods/commodities, submit prior to the submission of a requisition).
- Reference Mendocino County Policy No. 1 and Executive Office's Competitive Procurement Guidelines.

Exception to Bidding Substantiation/Documentation**1. Select one of the following:**

- Sole/single source procurement.** Sole Source is defined as a product or service which is practicably available only from one source. A single source is a source specifically selected amongst others, if any, due to specific reasons, i.e. replacement parts, compatibility, quality, service, support, etc.
- Proprietary procurement.** A proprietary procurement restricts the product to that of one manufacturer. In such cases, the consideration of proposed equals is excluded. Competition may be obtained among the distributors which carry the specific product.

2. Please check all applicable categories below and provide additional information where indicated to support the type of exception indicated in No. 1 above.

- The requested product is an integral repair part or accessory compatible with existing equipment.
Existing Equipment: _____
Manufacturer/Model Number: _____
Age: _____
Current Estimated Value: _____
- The requested product has unique design/performance specifications or quality requirements that are not available in comparable products.
- The County has standardized the requested product or service and the use of another brand/model would require considerable time and funding to evaluate.
- The requested product or service is one with which I (and/or my staff) have specialized training and/or extensive expertise. Retraining would incur substantial cost in time and/or funding.
- The requested product is used or demonstration equipment available at a lower-than-new cost.
- Repair/Maintenance service is available only from manufacturer or designated service representative.
- Upgrade to or enhancement of existing software is available only from manufacturer.
- Service proposed by vendor is unique; therefore, competitive bids are not available or applicable.
- Other factors (provide detailed explanation and substantiation in No. 3 below).

3. Provide a detailed explanation and pertinent documentation for each category checked in item 2 above. Attach additional sheets if necessary:

The software known as Digital Health Department (DHD) from Tyler Technologies, Inc. is unique for some of the services it offers. For our Hazmat program we needed the software to be able to process Electronic Data Transfers (EDT) with the State of California's database called the California Environmental Reporting System (CERS). This reduced double entry of inspection information into each database. It also allowed us to have CERS data present in the new software for reference when issuing permits and reviewing various documents for specific facilities.

For our other Environmental Health programs, Consumer Protection and Land Use, DHD provided the ability to standardize portions of their software for specific County processes. We developed specialized modules that fit our existing data and can help us move toward more streamline processes that also reduce paper usage. Our inspection types have been developed with built in regulation and code that we enforce. We have modules that allows us to track plan reviews and community events. Due to some of the software being customized for our programs, we have spent many hours working directly with developers to design and implement these modules. Staff has invested many hours into training on the different components of the software to be proficient in the field and provide our permitted businesses the proper documentation.

4. **Was an evaluation of other equipment, products, or services performed?** Yes No
If yes, please provide all supporting documentation, including copies of any quotes obtained, and an explanation below.

An evaluation of other software companies was performed in 2020. There are only two software companies that could process Electronic Data Transfers (EDT) with CERS and be customized to manage all of the programs within Mendocino County's Environmental Health department. They are Envision Connect and DHD. In 2012-2013, Environmental Health entered into an agreement with Envision Connect to try and develop a new database. Unfortunately, the company could not provide the services we needed, and the agreement was terminated.

5. **List below the name of each individual who was involved in the evaluation, if conducted, and in making the recommendation to procure this product or service. Attach additional information, if necessary. Each individual must submit a completed and signed Disclosure Statement (attached).**

Kirk Ford
Jessi Laughlin

6. I certify that the above information is accurate to the best of my knowledge, and a signed copy of this document will be kept on file and available for audit in my department.

Jessi Laughlin 3/17/2023
Signature / Date

Jessi Laughlin
Printed Name

Public Health – Environmental Health
Department

Program Specialist
Title

Steve Dunn 03/22/2023
Department Head Signature / Date

Steve Dunn
Printed Name

EXECUTIVE OFFICE/CENTRAL SERVICES REVIEW

Maura Kiser 03/22/2023
County Counsel Approval / Date

Jana Rau 03/22/2023
Executive Office Approval / Date

Janette Rau 03/22/2023
Purchasing Agent Approval / Date

Comments:

**DISCLOSURE STATEMENT TO ACCOMPANY
REQUEST FOR EXCEPTION TO COMPETITIVE BIDDING PROCESS**

Each individual involved in evaluating and/or in making a recommendation to purchase must complete, sign, and submit a Disclosure Statement with the applicable Purchase Requisition. Filing an annual statement of economic interest does not exempt an employee from this requirement. (Attach additional information if necessary.)

1. Please list any income or gifts you received from this company during the past 12 months:

None

2. Please list any financial interests (stocks, shares, investments, etc.) you have in this company:

None

3. Do you have any other type of business relationship with this company?

No

4. To the best of your knowledge, does any member of your departmental staff have a business relationship with this company?

No

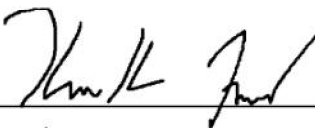
5. Do you or any of your near relatives have any financial interest in this company?

No

6. Please provide any additional information you believe should be disclosed at this time:

None

7. I certify that the above information is true:



Signature

Kirk Ford

Printed Name

3/17/2023

Date

EH Program Manager

Title

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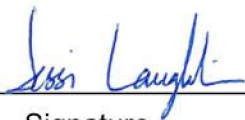
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7. I certify that the above information is true:



Signature

Jessi Laughlin

Printed Name

3/17/2023

Date

Program Specialist

Title