



JUSTIFICATION AND APPROVAL FOR ALLOWING AWARD OF CONTRACT WITHOUT COMPETITION

(Section A must be completed by the User Department and then submitted to the Department of Purchasing & Contract Compliance)

SECTION A

Department: *Information Technology*

Department Contact: *Dennis Barnes*

Description of Supplies/Services: *Software License and support: BMC Advantage Control M Family for Enterprise, Service Management, Data Management, and Mainframe Extended Solutions. Capacity: 500 tasks/day*

Demonstration of Contractor's Unique Qualifications:

The County requires full software support, including support of product source code, which is the intellectual property of BMC. BMC does not release the source code to the public, or authorize any third party contractors to sell, lease, or maintain the software families of this procurement. Therefore any upgrades, modifications, or enhancements to the product proprietary source code must be performed by BMC.

(Section B must be completed by the Department of Purchasing & Contract Compliance)

SECTION B

MARKET SURVEY

Results of Market Survey

Include resources researched

Date Public Notice posted on website: *02/08/2010*

Date Public Notice closed: *02/15/2010*

REVIEW OF OFFER(S)

Were any offers received (Y/N):

Number of offers received:

Respondents:

Date Offers submitted to User Department for review:

User Department review and recommendation:

Purchasing Agent review and recommendation: *Include whether a competitive process is being recommended & estimated date of solicitation.*

CERTIFICATION

Having conducted a good faith review of source availability regarding the materials, goods and or services stipulated herein, subsequent to consultation with the County Manager and the recommendation of the User Department, it has been determined that there is only one source available for the required work, labor or service to be done or the supplies, materials, or equipment to be furnished. Per the Fulton County Code of Ordinances §2-319, Conditions allowing for award of contract without competition.

I, Cecil S. Moore, Purchasing Agent, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.

Cecil S. Moore
Director

Date

I, Zachary Williams, County Manager, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.

Zachary Williams
County Manager

Date