



# 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 - Vendor: ESRI (Environmental Systems Research Institute )*

**Department Contact:** *Derek McKay (404) 612-0043*

**Description of Supplies/Services:** *Support, Licensing And Maintenance of ESRI suite of applications used by Information Technology, Public Works and E C & D.*

### **Demonstration of Contractor’s Unique Qualifications:**

*ESRI has been providing licenses, support and maintenance including implementation services, post-implementation support, and consulting services.*

***ESRI is the sole owner of the ESRI suite of applications. They own the software code and all rights to the software being installed and implemented. The technical data for all the ESRI products is proprietary. The support, training, configuration and implementation of these applications are only available through ESRI.***

*Replacement of these applications with another product or vendor would result in extensive developmental efforts, significant retraining dollars, and significantly higher costs to Fulton County.*

***ESRI has not licensed or otherwise given access to its proprietary code and data to any resellers or third party vendors.***

***These solutions are used by Public Works, DoIT, GIS, and E C & D and provide critical services, including geo database management, spatial modeling and mapping. If this item is not approved, major business processes of the County will be negatively impacted, as many of the improvements and enhancements in these three critical areas are included in the new version.***

*(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:** *Wednesday, April 14, 2010*

**Date Public Notice closed:** *Tuesday, April 20, 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 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