



**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:** Department of Information Technology

**Department Contact:** Derek McKay, Financial System Manager

**Description of Supplies/Services:** Support, licensing and maintenance of NCR Corporation suite of applications used by Tax Commissioner for the Remittance Processor application.

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

NCR Corporation has been providing support and maintenance including implementation services, post-implementation support, and consulting services.

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

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.

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

This application solution was originally procured through a competitive solicitation in 1988.

These solutions are used by the Tax Commissioner and provide critical services; including tracking and monitoring the progress of remittance checks collected during the tax process.

If this item is not approved, major business processes of the County will be negatively impacted, as any legally mandated changes associated with the collection of taxes would need to be implemented into the remittance processing system. This support includes the configuration and installation of those updates.

*(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: 09/09/2010**

**Date Public Notice closed: 09/16/2010**

**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 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