

“SOLE SOURCE” PROCUREMENT JUSTIFICATION

Sole source purchases are goods and services available from only one vendor. There may be just one vendor because of patents or copyrights or simply because the vendor is the only one which supplies the good or service. Using Department must provide a written explanation as to why only this particular product/service is acceptable and why no other will be suitable or acceptable to meet the need. A quote must accompany this form.

Department name: Community Development

1. Name of product or service: GIS Software Enterprise License Agreement
2. Name of product manufacturer: Environmental Systems Research Inst. Inc. (ESRI)
3. Name of “sole” product supplier or service provider: Same
4. Describe in general terms the product/service you are requesting and the intended application.

We are requesting a renewal of the County’s GIS Enterprise Agreement (ELA) with ESRI under the Small Government term contract. The contract allows unlimited use of GIS software for all departments in the County. The contract renewal is for a 3-year period starting in September 2023.

5. Describe the unique features/capabilities/characteristics that distinguish it from other products/services.

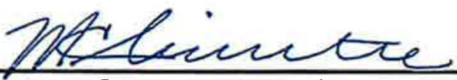
ESRI is the only company that provides the software that the County uses. All formal GIS training for all professionals and other GIS users is available only through the use of ESRI GIS products. ESRI’s primary software platforms, Arc GIS (including Desktop and Pro), offers its own complete GIS applications suite, for static mapping and extensive spatial analysis, ArcSDE for storing spatial databases, mobile GIS applications for field data collection, ArcGIS online for interactive web map applications, and ArcGIS Server for web-based spatial information sharing. ESRI’s full suite of applications are now administered under Arc GIS Enterprise, which is the foundation and infrastructure for the GIS technology. ArcGIS offers extensive documentation, online training materials, sample datasets, and customer support through regional and local ESRI offices, which are based in over 80 countries. There are more native cartographic output options with ArcGIS. Different data frames can be added and linked. ArcGIS also has several advanced mapping built-in functionalities that cover georeferencing, map labeling, image analysis, spatial analysis, 3D image analysis, business analysis, network analysis, and workflow management to name a few that other GIS platforms do not offer.

6. How did you determine there was only one source for the product or service? Provide information on the research that was performed to locate suppliers for this product(s) or service(s). (Please furnish names, addresses and other documentation).

ESRI is the only company and manufacturer of their GIS products that the County has used for over 30 years. There are a few other GIS systems out there, but they can't compete with ESRI's wide range of capabilities. They are unreliable and use data formats only available using their system. People in the GIS field use ESRI for their GIS needs around the world. All colleges and universities train those in the GIS field using only ESRI. All businesses use ESRI. The data formats established by ESRI are the standard used in the GIS field and it is how all data is transferred between customers and businesses. All GIS professionals and users use only ESRI products and have for the last 34 years. The County started using ESRI not long after GIS software was first implemented in the GIS field. All GIS professionals and other GIS users in the County are formally trained in the use of ESRI-based products for all things related to GIS and Cartography. If we were unable to purchase the renewal of this software, County staff wouldn't be able to complete any mapping or GIS services and the GIS Divisions of Community Development, the Assessor's Office, the Flood Commission or the Bureau of Elections wouldn't be able to perform their job duties.

7. What product supplier or service provider has your Department used until now to satisfy similar requirements?

ESRI is the only supplier and service provider that the all departments at the County utilize for their GIS needs now for the past 30 years.


Signature of Department Head

3/15/23
Date

(Attach Quote and Use Additional Sheets As Necessary)

**This form is used by Purchasing Department to determine if a "Sole Source" procurement criterion is met.
Completing this form does not guarantee approval of this type of procurement.

SOLE SOURCE LETTER

Environmental Systems Research Institute, Inc. (Esri)
380 New York Street
Redlands, CA 92373



DATE: January 17, 2023

TO: Whom It May Concern

FROM: Jackie Ricks, Contracts Specialist I, Esri Contracts and Legal Services

RE: Sole Source Justification for Enterprise Agreement (EA)

This letter confirms Esri, as owner and manufacturer, is the sole source provider of all U.S. domestic Enterprise Agreements. While some products are available through value-added resellers on a unit priced basis, Esri is the only source that can grant a right to copy and deploy products in an Enterprise Agreement. An EA is a bundled package for licensing software, maintenance, and online services for redistribution within the organization. Esri products are provided with a special grant to copy and deploy specified quantities of capped items and unlimited quantities of items without a cap, during the term of the EA.

If you have further questions, please feel free to call me at our Contracts and Legal Services Department at 909-793-2853, extension 1990.

Kind regards,



Jackie Ricks



Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

*To expedite your order, please attach a copy of
this quotation to your purchase order.
Quote is valid from: 1/23/2023 To: 4/23/2023*

Quotation # Q-488847

Date: January 23, 2023

Customer # 132337 Contract #

County of Dona Ana
Community Development Dept
845 N Motel Blvd
Las Cruces, NM 88007-8100

ATTENTION: Christina Ainsworth
PHONE: (575) 525-6113
EMAIL: christinaa@donaanacounty.org

Material	Qty	Term	Unit Price	Total
168182	1	Year 1	\$165,000.00	\$165,000.00
Populations of 150,001-250,000 Small Government Enterprise Agreement Annual Subscription				
168182	1	Year 2	\$165,000.00	\$165,000.00
Populations of 150,001-250,000 Small Government Enterprise Agreement Annual Subscription				
168182	1	Year 3	\$165,000.00	\$165,000.00
Populations of 150,001-250,000 Small Government Enterprise Agreement Annual Subscription				
Subtotal:				\$495,000.00
Sales Tax:				\$0.00
Estimated Shipping and Handling (2 Day Delivery):				\$0.00
Contract Price Adjust:				\$0.00
Total:				\$495,000.00

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact:
John Garrido

Email:
jgarrido@esri.com

Phone:
909-793-2853 x3580

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, then unless otherwise stated in this quotation, Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.

GARRIDOJ

This offer is limited to the terms and conditions incorporated and attached herein.



Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

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PHONE: (575) 525-6113
EMAIL: christinaa@donaanacounty.org

If you have made ANY alterations to the line items included in this quote and have chosen to sign the quote to indicate your acceptance, you must fax Esri the signed quote in its entirety in order for the quote to be accepted. You will be contacted by your Customer Service Representative if additional information is required to complete your request.

If your organization is a US Federal, state, or local government agency; an educational facility; or a company that will not pay an invoice without having issued a formal purchase order, a signed quotation will not be accepted unless it is accompanied by your purchase order.

In order to expedite processing, please reference the quotation number and any/all applicable Esri contract number(s) (e.g. MPA, ELA, SmartBuy, GSA, BPA) on your ordering document.

BY SIGNING BELOW, YOU CONFIRM THAT YOU ARE AUTHORIZED TO OBLIGATE FUNDS FOR YOUR ORGANIZATION, AND YOU ARE AUTHORIZING ESRI TO ISSUE AN INVOICE FOR THE ITEMS INCLUDED IN THE ABOVE QUOTE IN THE AMOUNT OF \$_____, PLUS SALES TAXES IF APPLICABLE. DO NOT USE THIS FORM IF YOUR ORGANIZATION WILL NOT HONOR AND PAY ESRI'S INVOICE WITHOUT ADDITIONAL AUTHORIZING PAPERWORK.

Please check one of the following:

☐ I agree to pay any applicable sales tax.

☐ I am tax exempt, please contact me if exempt information is not currently on file with Esri.

Signature of Authorized Representative

Date

Name (Please Print)

Title

The quotation information is proprietary and may not be copied or released other than for the express purpose of system selection and purchase/license. This information may not be given to outside parties or used for any other purpose without consent from Environmental Systems Research Institute, Inc. (Esri).

Any estimated sales and/or use tax reflected on this quote has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. Esri reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state tax directly, then prior to invoicing, your organization must provide Esri with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact:
John Garrido

Email:
jgarrido@esri.com

Phone:
909-793-2853 x3580

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, then unless otherwise stated in this quotation, Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.

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