



**DOÑA ANA COUNTY PURCHASING DEPARTMENT
PROCUREMENT DETERMINATION**

TO: Procurement File	DATE: 11/17/2021
FROM: Donald E. Bullard, Purchasing Manager	DB
SUBJECT: Sole Source Procurement Determination	

Section 13-1-126 NMSA 1978 states in pertinent part that "A. A contract may be awarded without competitive sealed bids or competitive sealed proposals regardless of the estimated cost when the state purchasing agent or a central purchasing office determines, in writing, that:

- (1) there is only one source for the required service, construction or item of tangible personal property;
- (2) the service, construction or item of tangible personal property is unique and this uniqueness is substantially related to the intended purpose of the contract; and
- (3) other similar services, construction or items of tangible personal property cannot meet the intended purpose of the contract.

B. The state purchasing agent or a central purchasing office shall use due diligence in determining the basis for the sole source procurement, including reviewing available sources and consulting the using agency, and shall include its written determination in the procurement file."

The Purchasing Department has:

- Reviewed the justification submitted to this office;
- Reviewed the steps taken by the User Department in conducting a good-faith review of available sources;
- Reviewed the Vendor's Sole Source letter;
- Conducted research on other firms offering similar products.

The DAC Assessor's Office provided Purchasing with a Sole Source Justification Form, Sole Source Letter and Cost Proposal for aerial pictometry imagery services. Pictometry is the name of a patented aerial image capture process that produces imagery showing the fronts and sides of buildings and locations on the ground. Images are captured by low-flying airplanes, depicting up to 12 oblique perspectives (shot from a 40 degree angle) as well as an orthogonal (overhead) view of every location flown.

Eagleview through its affiliate Pictometry International holds various patents for aerial pictometry imagery services. Their patented technologies enables them to provide a unique and advantageous combination of product and services not available from other vendors. The County's Certified Chief Procurement Officer from examining the sole source documents and researching the internet has determined that Eagleview is the sole source provider of aerial pictometry imagery services.

The Assessor's Office has been obtaining aerial pictometry imagery services from Eagleview through its affiliate Pictometry International for over 10 years. Because their imagery and technology is proprietary and protected by patents no other company can access and utilize the historic imagery that has been collected over Dona Ana County. Purchasing approves this sole source procurement.

“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: **Dona Ana County Assessor's Office GIS Department**

1. Name of product or service: **Bi-Annual Aerial Imagery (2 Flyover Collections)**
2. Name of product manufacturer: **Eagleview**
3. Name of “sole” product supplier or service provider: **Eagleview**
4. Describe in general terms the product/service you are requesting and the intended application.

The imagery service that we are requesting is to continue the Assessor's Office use of overhead photography that allows office staff two key functions; One providing the appraisal staff necessary tools in digital format in validating structures and any changes on properties with use of imagery being taken by Eagleview during the early winter months of December 2021/January 2022. The second being to provide additional staff within the office uses of the imagery to assist the public in regards to questions on their assessment, legal descriptions, location and assistance on any discrepancies that may be brought up which helps to view the property and discuss with the customer in better understanding detail. The imagery fly over project will be consisting of a birds' eye view of overhead imagery along with 4 additional viewpoints of seeing properties in an oblique image capture of North, South, East and West 45° angle views that will add further resources for additional validation on structure type, measurements and any form of updates on properties. These different view angles and overhead aerial will help in reducing the amount of secondary trips needed in the case that some information may not have originally been collected or needed for a secondary look over by our appraisal staff which will be able to double check within the office. The images collected through project are not replacing boots on the ground field appraisal collection.

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

As stated before, the service that Eagleview provides gives our staff not only an overhead image of each property in Dona Ana County, but also 4 additional angles in a 45° perspective to allow staff visual for any structures that may be blocked off of any access on the ground. With use of this imagery and continuation with contract relations with Eagleview, the imagery that is collected can be applied for future services that will be looked at for structure recognition between years to assist in identifying new structures for immediate field appraisal verification that can reduce instances of missed structures for assessment.

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).

Continuous conversations with Eagleview as we have been contracted with them for over a decade in providing imagery service to Dona Ana County, along with costs and benefits that are offered in cost saving and also quality in imagery that will be provided assisted us in choosing Eagleview. The Assessor's GIS department also opened our ears to see additional companies offers through communication through phone and email along with viewing presentations held at conferences.

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

We have been with Eagleview, formerly Pictometry for well over 10 years to provide us with aerial imagery services.



Signature of Department Head

11/4/21
11/3/21

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.**



Pictometry®

11-11-2021

Charles Saenz
Dona Ana County Assessor's Office
845 N Motel Blvd.
Las Cruces, New Mexico 88007

Dear Charles,

As technological leader in the field of high resolution geo-referenced aerial imagery, Pictometry International Corp. holds 94 U.S. patents issued and in force and 32 pending U.S. patent applications that relate to various aspects of capturing, processing, displaying, and using geo-referenced aerial imagery (information current as of September 18, 2020). The Pictometry patent portfolio protects, among other things, Pictometry's (and its EagleView affiliates') exclusive rights to use or provide the following capabilities:

- Determine from an oblique image distance along the surface of the earth following the terrain instead of a straight line that ignores changing terrain (US Patent 7,995,799);
- Use tessellated ground plane data with an oblique image to produce greater accuracy when converting from pixels to geo-locations and when making linear and area measurements (US Patent 7,787,659);
- Use Pictometry's proprietary file structure for oblique images (US Patents 7,787,659 and 8,068,643);
- Select a measurement mode (including distance, height, relative elevation) from a list of tools while viewing an oblique image and using the associated metadata and ground plane information for the oblique image to obtain the corresponding measurements directly from the imagery (US Patent 8,068,643);
- Use a geographic location, whether manually input or from an address lookup, to search a database of oblique images, each with metadata and ground plane data, in order to retrieve the image that contains that location and display it for analysis (US Patent 8,204,341);
- Calculate a desired measurement in a displayed oblique image by referencing positional data for the oblique image and a pre-calculated or created ground plane having elevation data conforming to the topography of an area within the oblique image (US Patents 8,204,341; 9,811,922; and 10,607,357);
- Calculate multiple elevations of a tessellated ground plane for an oblique image using positional data and data indicative of topography represented by the oblique image such that the elevations of the tessellated ground plane conform to the topography of the oblique image (US Patent 8,204,341);
- Measure distance, height, area and relative elevation dependent upon ground plane data that closely approximates the terrain within an oblique image (US Patents 8,223,666 and 8,634,594);
- Extract area measurements of vertical or pitched surfaces using an oblique image, its associated camera information and ground plane information (US Patent 8,223,666);
- Pan through an oblique library by detecting the border of the current image and automatically selecting the oblique image that best matches the current camera orientation and scale while extending farther in the direction the user is panning. (US Patents 8,593,518; 8,643,720; and 9,530,181);
- Transmit post-disaster imagery to the ground from an airplane in real-time through a high-speed directional communications link that is synced with a "non-line of sight communication system" such as a satellite telephone (US Patents 8,477,190; 9,723,269; and 9,743,046);
- Use a capture system that acquires the geo-location of a camera during image acquisition, and controls multiple cameras separately (US Patent 9,182,657);
- Measure between at least two selected points on a man-made structure, such as a building, using an intermediate selection of points or a summation of at least two line segments (US Patent 9,443,305);
- Securely process images of sensitive geographic regions (US Patents 9,881,163 and 10,311,328); and
- Ensure full coverage of acceptable images without costly reflights or delays (US Patents 8,385,672; 8,515,198; 9,262,818; 9,633,425; 9,959,609; 10,198,803; and 10,679,331).

These patented technologies enable Pictometry to deliver a unique and advantageous combination of product and service offerings, features, functions, and quality not available through other vendors.

Frank Giuffrida

Frank Giuffrida - Senior Vice President – Image Capture R & D

25 Methodist Hill Drive | Rochester, NY 14623 | www.eagleview.com

Pictometry is a member of the EagleView® family of companies.



Budget Proposal

Proposal for: Dona Ana County, NM
Project Name: E+P LTI - 2 flights 4 yrs.
Quote Number: Q-73463
Contract Term: 4 Year(s)
Number of Projects: 2

EagleView Rep: Brian Garcia
Phone Number: (602) 206-4711
Email: brian.garcia@eagleview.com
Expiration Date: 8/31/2021
Targeted Capture: 2022-a-Winter

Multi-Project Summary

2 Projects over 4 year(s)

Flight #1 Total: \$211,600.00

Flight #2 Total: \$211,600.00

Annual Payments: \$105,800.00

This quote is non-binding, creates no legal rights, duties or obligations, expressed or implied, on either party, and shall become binding only in the event that Pictometry and Customer enter into a definitive agreement incorporating it. The pricing quoted above does not reflect applicable taxes, which will be reflected in any resulting definitive agreement with Customer. This quote is valid until the date shown above, after which it expires. All Discounts are approximate.



Budget Proposal

Proposal for: Dona Ana County, NM
Project Name: E+P LTI - 2 flights 4 yrs.
Contract Term: 4 Year(s)
Number of Projects: 2

EagleView Rep: Brian Garcia
Expiration Date: 8/31/2021
Targeted Capture: 2022-a-Winter

Flight #1

Qty	Product	List Price	Discount (%)	Subtotal
529	Reveal Essentials+ Property	\$400.00		\$211,600.00
1	RapidAccess - Disaster Response Program	\$0.00		\$0.00
1	Pictometry Connect - EarlyAccess	\$10,000.00	100	\$0.00
1	Oblique Imagery Bundle w/Two(2) Yrs of EFS Maint & Support	\$0.00		\$0.00
Flight #1 TOTAL:				\$211,600.00

Flight #2

Qty	Product	List Price	Discount (%)	Subtotal
529	Reveal Essentials+ Property	\$400.00		\$211,600.00
1	RapidAccess - Disaster Response Program	\$0.00		\$0.00
1	Pictometry Connect - EarlyAccess	\$10,000.00	100	\$0.00
1	Oblique Imagery Bundle w/Two(2) Yrs of EFS Maint & Support	\$0.00		\$0.00
Flight #2 TOTAL:				\$211,600.00

TOTAL: \$423,200.00

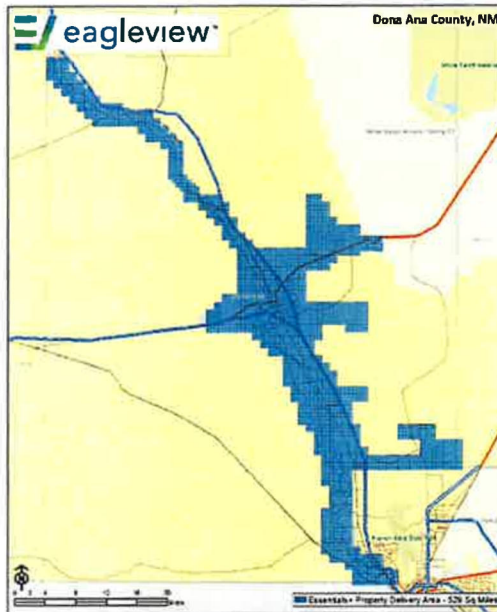
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Coverage Map

Proposal for: Dona Ana County, NM
Project Name: E+P LT1 - 2 flights 4 yrs.
Contract Term: 4 Year(s)
Number of Projects: 2

EagleView Rep: Brian Garcia
Expiration Date: 8/31/2021
Targeted Capture: 2022-a-Winter



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