Signature on file

Type 4

State of Oklahoma
Office of Management and Enterprise Services
Central Purchasing Division

Sole Source or Sole Brand Acquisition Certification
74 O.S. § 85.45J

Acquisition Type (check one): ☒ Sole Source ☐ Sole Brand

State Agency: DEPARTMENT OF CORRECTIONS

Supplier Name: CYZAP

Supplier Address: P.O. BOX 6388, GOODYEAR AZ 85338

Supplier Telephone: 402-210-2594 Supplier E-mail: INFO@CYZAP.COM

I hereby affirm that pursuant to the provisions of the attached requisition or contract that (name of supplier) CYZAP is the only person or business entity singularly qualified to provide the acquisition, and if a product is the only brand or product which is unique, for the following reasons:

EZAssess is a program, owned and developed by CYZAP, Inc., used by the Department of Corrections. This has become a mission essential product for the Community Sentencing Division to place offenders as they are sentenced from the Courts to Community services or programs. DOC began using CYZAP software in 2008

The following is a brief description of all efforts which were made to verify that the services or products to be purchased pursuant to the provisions of the attached requisition or contract qualify as a sole source or sole brand acquisition:

Since the Department of Corrections and CYZAP, Inc. have developed this web-based product, no futher investigations were conducted. This product, in its present form, has become a mission essential tool to permit offenders to be classified and assigned the proper level of training, treatment, counseling, and reporting. This contract is for site license use, support and enhacements of the EZAssess software through the end of June 2015. Due to the extensive data base and man hours, it would be to cost prohibited to DOC to seek any other product. New contract that includes initial one year period and 4 additional one year options to renew. First option to renew of a five year contract. Contract Period 7-1-14 thru 6-30-15

I understand that the signing of this certification knowing such information to be false may subject me to punishment for perjury.

Signature on file
Chief Administrative Officer Signature

Robert Patton
Chief Administrative Officer Name (PRINT)

5-21-14
Date

Additional Signatures for Requisitioning Agency, if necessary:

Signature on file 4-23-14
Donna Valadez, Business Manager
Signature & Date

[Type Title] Signature & Date

Purchase Order

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1319055595	07/01/2013	1 - 05/30/2014	1

Payment Terms	Freight Terms	Ship Via
0 Days	Free on board at Destination	Common

Buyer	Phone	Currency
David Williams	405/425-2636	USD

Department of Corrections
DEPARTMENT OF CORRECTIONS
3400 MARTIN LUTHER KING AVE
OKLAHOMA CITY OK 731360400

Vendor: 0000078192
CYZAP INC
PO BOX 6388
GOODYEAR AZ 85338-0624

Ship To: DEPARTMENT OF CORRECTIONS
COMMUNITY SENTENCING DIV/BUSINESS MANAGER
3700 N. CLASSEN BLVD, STE 110
OKLAHOMA CITY OK 73118-2801

Bill To: DEPARTMENT OF CORRECTIONS
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Tax Exempt? Y **Tax Exempt ID:** 736017987

Line-Sch	Cat CD / Item Id	Description	Quantity	UOM	PO Price	Extended Amt	Due Date
1- 1	81112105 / 1000012976	SERVICES: Web Hosting Maintenance and Support	12.0000	EA	4,070.0000	48,840.00	05/22/2013
		Web-based software application for the Adult Substance Use Survey (ASUS). Base Hosting Cost for up to 400 users per month.					
		SOLE SOURCE CONTRACT					
2- 1	81112105 /	SERVICES: Web Hosting Maintenance and Support	12.0000	MO	4,070.0000	48,840.00	05/30/2014
		Contract Period 7-1-14 thru 06-30-15 2ND YEAR OF 5					

Total PO Amount 97,680.00

COMMENTS:
Initial Contract Period: One (1) year with the option to renew for four (4) additional one (1) year periods at the same terms and conditions.

Contract Period 07-01-13 THRU 06-30-2014

Agreement Period 07-01-2013 THRU 06-30-2018

This purchase is subject to the provisions of the Oklahoma Central Purchasing Act, 74 OS 2001 Section 85.1 et seq.

Payment for goods and services by a state agency shall be made only after products have been provided or services rendered.

The State of Oklahoma is exempt from payment of sales tax.

All contracts with the State of Oklahoma are governed by the laws of Oklahoma. Venue for any action or claim shall be Oklahoma County, Oklahoma.
****

AUDIT AND RECORDS CLAUSE: (a) As used in this clause, "records" includes books, documents, accounting procedures and practices, and other data, regardless of type and regardless of whether such items are in written form, in the form of computer data, or in any other form. In accepting any contract with the State, the successful bidder agrees any pertinent State or Federal agency will have the right to examine and audit all records relevant to execution of the resultant contract. (b) The successful bidder is required to retain all records relative to this contract for the duration of the contract term and for a period of three years following completion and/or termination of the contract. If an audit, litigation, or other action involving such records are started before the end of the three year period, the records are required to be maintained for three years from the date that all issues arising out of the action are resolved or until the end of the three year retention period, whichever

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is later.

DEBARMENT/SUSPENSION: In accordance with 31 USCA 6101, Executive Order 12549, the contractor certifies that they are not presently or have not in the last three (3) years been debarred, suspended or proposed for debarment, declared ineligible by any federal department or agency, or convicted of a fraud-related crime.

ORAL AGREEMENTS: No oral statement of any person shall modify or otherwise affect the terms, conditions, or specifications stated in the solicitation or contract. All modifications to the contract must be made in writing by the Dept. of Central Services.

To be billed in arrears.

"Purchase order number must appear on all invoices. If vendor fails to provide purchase order number, it may result in the delayed payment of the invoice."

The terms of this agreement and any purchase order issued for multiple years under this agreement is contingent upon sufficient appropriations being made by the Legislature or other appropriate governing entity. Notwithstanding any language to the contrary in this agreement or in any purchase order or other document, a procuring agency may terminate its obligations under this agreement if sufficient appropriations are not made by the Legislature or other appropriate governing entity to pay amounts due for multiple year agreements. The procuring agency's decisions as to whether sufficient appropriations are available shall be accepted by the Vendor and shall be final and binding.

This contract shall be considered to be in force until the expiration date or until 30 days after notice has been given by either party of its desire to terminate the contract.

Immediate cancellation shall be administered when violations are found to be an impediment to the function of the agency and detrimental to its cause, or when conditions preclude the 30 day notice.

Electronic and information technology procurements, agreements, and contracts shall comply with applicable Oklahoma Information Technology Accessibility Standards issued by the Oklahoma Office of State Finance.

EIT Standards may be found at www.ok.gov/DCS/Central_Purchasing

Upon request, the Contractor shall provide a description of conformance with the applicable Oklahoma Information Technology Accessibility Standards for the proposed product, system or application development/customization by means of either a Voluntary Product Accessibility Template (VPAT) or other comparable document.

The Contractor shall indemnify and hold harmless the State of Oklahoma and any Oklahoma Government entity purchasing the product, system or application developed and/or customized by the contractor from any claim arising out of the contractor's failure to comply with applicable Oklahoma Information Technology Accessibility Standards subsequent to providing certification of compliance to such Standards.

Vendor Contact : Gunnit Khurana
Phone: 402-697-1277
Fax: 402-697-1343

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Line-Sch	Cat CD / Item Id	Description	Quantity	UOM	PO Price	Extended Amt	Due Date

Agency Contact: DONNA VALADEZ
PHONE NUMBER: 405-523-3077
FAX: 405-525-4527

JUSTIFICATION:
1. DEFINITION OF THE REQUIREMENT: What are we buying? Web-based software application for the Adult Substance Use Survey (ASUS).

2. ANALYSIS OF EXISTING AGENCY RESOURCES: Is this requirement available elsewhere in the agency? NO

3. OBJECTIVE OF THE ACQUISITION: Why do we need to buy this? CRITICAL TO PROVIDING SUBSTANCE ABUSE COUNSELING FOR OFFENDERS.

4. EVALUATION OF THE PROCUREMENT METHOD: What procurement method will be used to acquire this? OPEN MARKET SOLE SOURCE

5. DEVELOPMENT OF SPECIFICATIONS: If bidding, are specifications non-restrictive to maximize reasonable competition? N/A

6. PERTINENT INFORMATION: List any other information needed to support the acquisition. NONE

7. LABOR: Describe any labor that will be involved with the acquisition including who will be doing the labor (i.e. installation, start up, inspection). NONE

8. TOTAL PROJECT: If this acquisition is part of a project, what is the estimated total project amount? How much has been spent to date and thru what procurement method the money was spent (i.e. statewide contract - purchase order release or super p-card transaction; inter/intra-agency; open market bids; local purchase orders)?
Total Project = THIS PO. Other project expenditures were handled in separate transactions because the products or services required were only available from different commodity vendors.

The State Official signing this requisition affirms any contract resulting from this request shall comply with the following:

A. No employee of the state agency is able and available to perform the services to be provided pursuant to the contract.

B. The state agency shall receive, review and accept a detailed work plan from the supplier for performance pursuant to the contract if requested by the State Purchasing Director.

C. The state agency has developed, and fully intends to implement, a written plan providing for the assignment of specific state agency personnel to:

1) Monitoring and auditing supplier performance,
2) The periodic review of interim reports, or other indications of performance, and
3) If requested by the State Purchasing Director, the ultimate utilization of the final product of the nonprofessional or professional services.

D. The work to be performed under the contract is necessary to the state agency's responsibilities, and there is statutory authority to enter into the

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contract.

E. The contract will not establish an employment relationship between the state or the state agency and any persons performing under the contract.

F. No current state employee will engage in the performance of the contract, unless specifically approved by the State Purchasing Director.

G. The purchase of the nonprofessional or professional services is justified, and

H. The contract contains provisions that are required by 74 O.S. Section 85.41.

NOTE:
This requisition for services, in accordance with 74 O.S. Section 85.4.E.1, must be signed by the Chief Administrative Officer of the State agency or the Chief Administrative Officer of the requisitioning unit.

Change Order to exercise 1st Option to renew of a 5 year contract. Contract Period 7-1-14 thru 6-30-15 DONNA V. 5-1-14 DGW 5-30-14

Authorized Signature
Signature on file