

Vendor: ESRI _____ Department: Information Technology _____

A request for waiver is required whenever there is intent to have an exception made for:

- Sole Source Single Source Emergency Purchase Waiver of Purchase Procedures

An **Emergency Purchase** is defined as a condition or occurrence of a sudden and unexpected nature threatening the public health, safety or welfare (provide details below).

A **Single Source Purchase** is defined as the purchase of required good/service from one source because of Town standardization, warranty or other distinctive factors (provide details below).

A **Sole Source Purchase** is defined as having only one practical source for the purchase of the required good/service - e.g., proprietary technology, copyright or a supplier's unique capability (provide details below and attach Sole Source Letter from vendor or manufacturer).

Fully completed certificates are subject to review and approval by the Department Director, Procurement, Finance Director, and Town Manager.

Check justification(s) below that apply to the proposed purchase and supply documentation/explanation as required:

- Commodity/Service is from the original manufacturer or provider. There are no other distributors. (Findings must be documented below or attached).
- The product is an integral part of existing equipment. Other brands are not interchangeable. (State manufacturer and model number of existing equipment below.)
- Only known product that meets the specialized needs of the department to bring about continuity of results. (Explain in detail below or attached).
- Staff have had extensive training and/or experience with the product. The purchase of other than the proposed product would incur a substantial cost in re-training. (Explain in detail below or attached).
- Purchase of this item/service is of an urgent nature because it is essential to public health, safety & welfare. (Describe in detail below).
- Unable to obtain 3 or more quotes for item/service (Explain in detail below or attached).
- Competitive negotiation (or quotes) is either not practicable or not fiscally advantageous, as described below.
- Confirming Purchase Order (Explain reason for expenditure without issuance of PO below).

Justification: The Town of Herndon's GIS is based on Esri software. Esri is the owner, manufacturer, and sole source provider of all U.S. domestic Small Municipal and County Government Enterprise Agreements (EA). The Small Municipal and County Government EA is a bundled package of term limited software licenses and maintenance that includes the right to copy. This license offers unlimited access and editing capabilities to staff across all departments and includes elevated admin tools that are critical to advancing our GIS. Without the bundling of these licenses, GIS will become unaffordable for the town in the near future. Esri is the only source that can grant a right to copy and deploy Enterprise Software within an organization (Enterprise). Also, domestically Esri is the only source of maintenance (updates and technical support) for all Esri® software.

Approvals:

Requester: Page Kalapasev _____ Date: 4/29/2024 _____

Department Director: Page Kalapasev _____ Date: 4/29/2024 _____

Purchasing Agent: *Andrew* _____ Date: *5/2/2024* _____

Finance Director: *Mary Ellen* _____ Date: *5/2/24* _____

Town Manager: *William H. ...* _____ Date: 5.3.2024 _____