

James, Maleka

From: Clark, Paul
Sent: Thursday, October 31, 2019 3:54 PM
To: Williams, Terra Fox; James, Maleka; Gaines, Michael; Jordan, Roy; Sexton, Jessica E.; Barnhart, Jordan C.; Cooper, Jeffrey Alan; Matis, Michael M.
Subject: FW: Signed Contract
Attachments: SOLE SOURCE JUSTIFICATION- DAR.docx; SOLE SOURCE JUSTIFICATION LionandPandaFASDMarketing2015.doc; 2019 DAR Board Message Proposed.docx; 2019DARPublicRealtionsAgreement.doc

Importance: High

Roy,

Per your request, I will get with Terra on the document presented. I apologize for the delay but I have been in meetings and covering facility responsibilities for Freddy so this is really the 1st time I have had to sit down.

To assist in what I am trying to say, I have attached a copy of previous marketing Sole Source Justification to highlight what I am saying. There are multiple criteria noted in the FAR to be able to document reasoning through a sole source justification to the approving body about why this vendor was not chosen through normal sourcing & procurement process, transparency is the key here that all eligible parties were not informed or given the opportunity to secure this contract and payment.

The Timing criteria is utilized when normal RFP processes of the potential building & shipment of the product (lead time) would cause Public Health to not be able to utilize this. A classic example of this is when a department receives a late release of capital funding for vehicles and we cannot meet the need in the normal process of ordering and waiting for the build, so the dealer sells us the same item off the lot at the contracted price. We meet the intent of the Sate Contract and fulfill our need. I have attached the DAR agreement that I received as part of the September 19th meeting that Terra Williams and Maleka James presided over with Roy Jordan and I attendance. The first page of that agreement shows the project starting in July 2019, which means that contact had to have been made previously for this to be developed. In 2017, I created a similar justification for DAR for marketing materials for the 1st Infant Mortality Coalition items. In that case, DAR had been awarded a 2016 state contract for the initial work with for state programs. Public Health had a very short window of time to get these materials. Even though the state contract had just expired, DAR agreed to keep the pricing the same and all this was noted. I will recommend to Terra Williams that we remove the timing criteria from the statement.

The Economic criteria is utilized to show that the Purchasing department went out to validate after the fact that the cost in the proposal is indeed within normal expected rates for the goods or service proposed. In the example provided, Purchasing contacted multiple vendors and found that this the costs proposed were within reason. I will recommend to Terra Williams that we remove the economy criteria from the statement.

I do believe that this statement should be based on the Continuity criteria; however, I would come from the fact that Health Promotion has been utilizing DAR from 2017 on different campaigns (Infant Mortality, Healthy mommy/Healthy baby, etc) that all wrap up on a consistent message to the targeted audience over a specific time period.

I have attached a sample framework that could be the starting point. I have a couple of facility needs to take care of but I will try to be in to Terra within the next 15 minutes.

Paul