

**PENNSYLVANIA TREASURY DEPARTMENT
PROCUREMENT SOLE SOURCE JUSTIFICATION**

Bureau: Unclaimed Property **Contract Begin Date:**07/01/2024 **End Date:**06/30/2025

Contractor: Avenue Unclaimed Property Systems LLC

Agency Purchase Requisition No: 0000000658

A) Reason for Sole Source Procurement:

- Only a single contractor is capable of providing the service.
 - Only known source; similar services/commodities are not available from another contractor.
 - Service must be compatible with existing equipment.
- A federal or state statute or federal regulation exempts the service from the competitive procedure and there is appropriate justification to do so.
- It is clearly not feasible to award the contract for services on a competitive basis.
- The services are to be provided by attorneys or litigation consultants selected by the Department.
- The services are to be provided by expert witnesses.
- The services involve the repair, modification or calibration of equipment, and they are to be performed by the manufacturer of the equipment or by the manufacturer's authorized dealer, provided the contracting officer determines that bidding is not appropriate under the circumstances.
- The contract is for financial or investment experts to be used and selected by the Department.
- The contract is for supplies or services is in the best interest of the Commonwealth.
- Part I, Chapter I of the Pennsylvania Procurement Handbook issued by the Department of General Services under the authority of Commonwealth Procurement Code, 62 P.S. Section 101 et seq., exempts Treasury from the policies, procedures, and guidelines of the handbook for the licensing of specialized computer software.

B) Briefly describe the supply or service item you are requesting and its function.

The services sought are software system enhancements/improvements to BUP's record-keeping software system that are outside of the contracted-for licensing and maintenance services provided by BUP's software system vendor.

C) Describe the unique features/compatibility of the supply or service item that precludes competitive procurement.

BUP's unique software system (record-keeping system for unclaimed property) is owned and licensed by BUP's vendor.

D) What research has been done to verify the contractor as the only known source?

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The vendor provides a record-keeping system specifically tailored to the record-keeping needs for unclaimed property (e.g. Holder Reporting system, Claims management system, QC controls, etc.). This is a proprietary software product of the vendor.

E) Does the contractor have any distributors, dealers, resellers, etc., that sell the supply or service?

No

F) Must this supply or service be compatible with present inventory/equipment or in compliance with a manufacturer's warranty or existing service agreement? If yes, please explain.

Yes, the services/enhancements sought to be provided are in connection with the vendor's software licensing and maintenance contract.

G) If this is an initial procurement, what are the future consequences of the procurement? That is, once this procurement is approved and processed, what additional upgrades/additions/supplies/ services, etc., are anticipated/projected over the useful life of this item?

None

H) If this is an upgrade, addition, alteration, etc., to an existing service? How was the original service procured (sole source or competitive)? What additional, related, sole source procurements have occurred since the initial procurement? Please identify the previous purchase order or contract number(s).

Yes, competitive. Contract #TREA19046. Sole sources have previously been procured for prior software enhancements (e.g. creation of a military medals webpage, Claims Fast Tracking enhancements).

I) How has this service been procured in the past? (Competitive sealed bidding, competitive sealed proposals, sole source, other). Please provide document numbers.

n/a

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J) What are the consequences of not procuring this specific supply or service item?

No additional improvements/enhancements will be able to be made to the existing software system.

K) How long has the agency known that the supply or service was needed, and why wasn't the contract process started earlier?

These enhancements have only come to light as BUP identifies areas for improvement in its operations in connection with the software system.

L) If timing is a factor, who established the time frame and why?

n/a

M) What are the consequences of not procuring this specific service within the established time frame?

n/a

N) List any other information relevant to the acquisition of this service.

As part of the implementation, and in addition to the software licensing and maintenance, this vendor assumed the responsibilities associated with a Hosted Environment for website related operations (Treasury migrated from hosting all website functions to a vendor-hosted environment). Avenu is our current contractor and was selected through a competitive process. At the time the RFP process was initiated, such operational enhancements were either not considered or not known and, as such, were not part of the initial RFP requirements.