

# Sole Source Procurement Instructions

Department: Harrisonburg Police Department

Date: March 7, 2016

Vendor: Lexipol

It is the policy of the City of Harrisonburg that contracts/products be awarded on a competitive basis and that the use of a sole source procurement must be limited to those instances where only one source is practicably available. Personal preference for certain brands or products does not adequately justify limiting competition.

1. Explain why this is the only product or service that can meet the needs of the department making the purchase.

The Lexipol system combines policy content and training materials delivered through an online platform. This combination of services has been developed in-house by Lexipol staff and is not available through other public or private resources or organizations.

Specific unique features include:

- Copyrighted, Virginia-specific policy content developed by Lexipol staff and subject matter experts.
- Content that meets the standards of the Virginia Law Enforcement Professional Standards Commission and is tagged with and linked to the corresponding accreditation standard.
- Copyrighted, state-specific Daily Training Bulletins developed by experienced public safety personnel and linked to policy content. Each Daily Training Bulletin includes real-time testing to verify end-user understanding.
- Copyrighted, state-specific policy updates and client alerts in response to changing state and federal laws and evolving industry best practices.
- Editing features that allow the agency to customize policy and training content.
- Electronic acknowledgement of policies and training completion.
- Electronic archiving of each version of the agency's policy manual.
- Reports that show progress toward policy implementation and acknowledgement and facilitate the tracking of training completion.
- Reports that support agency accreditation and facilitate the auditing process.
- Mobile app that allows end users to access complete policy content, review policy updates and other alerts, and complete daily training.

These features are delivered via Lexipol's Knowledge Management System, a proprietary web-based delivery platform (software-as-a-service) that integrates policy issuance, policy updates, training, policy/training acknowledgement, and reporting.

2. Explain why this vendor is the only practicably available source from which to obtain this product or service.

Lexipol provides state-specific policies and verifiable policy training for public safety organizations. The company has been in business since 2003 and the Lexipol system is currently in use in more than 2,400 public safety organizations. There is no other company providing the combination of Virginia-specific law enforcement policies, updates based on legislative and best practice changes, and daily training.

Additional details of Lexipol's unique qualifications and expertise include:

- Proven record of helping public safety agencies reduce risk and avoid litigation.
- In-house team of attorneys specializing in public safety law.
- In-house content developers with hundreds of years of collective experience as practitioners in law enforcement, custody and fire.

- Clients ranging from small to large agencies (2 sworn personnel to more than 2,500 sworn personnel), including municipal police departments, county sheriff's offices, county district/state's attorneys, port police, probation departments, school district and university police, tribal police, career and volunteer fire departments, and a diverse group of state regulatory agencies.
- Subscriber base that makes up one of the largest private networks of law enforcement policy collaborators in the nation.

The Lexipol system is only available via direct purchase, and is not available for purchase from third-party distributors.

3. Explain why the price is considered reasonable.

The Lexipol subscription is based on number of sworn personnel as well as services purchased. First-year pricing reflects the additional resources provided from Lexipol Customer Service and Implementation Services staff to assist the agency in implementing the policy manual. The Lexipol subscription includes:

- 150+ policies written to meet Virginia laws and standards, as well as federal laws
- Continuous, automatic updates developed by Lexipol's legal staff, which reviews pending and new state and federal legislation and adjusts Lexipol's policies as needed
- Daily training for all sworn officers that covers high-risk, low-frequency events and connects policy content to real-world scenarios.
- Customer assistance and support, including initial project management sessions and ongoing training.
- Existing Content Cross-Reference:
  - Provides a two-way cross-reference report comparing the agency's existing policy content to the Lexipol policy content.
  - Provides one-on-one review with agency to discuss the cross-reference report
- Implementation plan
  - Provides a custom, agency-specific Implementation Plan, focusing on how to determine the applicability, practicality, and functionality of Lexipol content, efficiently integrate existing content where appropriate, and manage the collaborative workgroup process
  - Provides an agency-specific Project Management Guide and project kickoff presentation webinar
  - Defines the policy approval process and workflow
  - Provides a customized project status tracker
  - Provides a Project Calendar and implementation timetable.

The time and resources required for the Harrisonburg Police Department to provide these services internally would be considerably more than the cost of the Lexipol subscription. Further, the department lacks some of the internal expertise necessary to do so. The inability to provide these services internally leaves the agency open to considerable risk of expensive litigation and claims. Therefore, the pricing is considered reasonable.

4. Describe the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

*What efforts have been made to obtain the best pricing? Sole Source purchases should still be negotiated to obtain the best fair and reasonable price.*

I recently attended the VACP (Virginia Association Chiefs of Police) Conference in Richmond, Virginia and Lexipol and VACP had formed a partnership to have the Commonwealth having worked with Lexipol to work with Virginia agencies. As a member of VACP, Lexipol has offered a five percent reduction as well as an additional five percent reduction for attending the Conference. This has reduced our annual fee for an agency our size.

**Please attach this form to the Requisition and forward to Purchasing.**

Signature: Chief Stephen Monticelli Date: 3/7/2016