



**FULTON COUNTY
JUSTIFICATION AND APPROVAL FOR ALLOWING AWARD OF
CONTRACT WITHOUT COMPETITION**

(Section A must be completed by the User Department and then submitted to the Department of Purchasing & Contract Compliance)

SECTION A

Department: *Department of Information Technology*

Department Contact: *Derek McKay (404) 612-0043*

Description of Supplies/Services: *Maintenance, Licensing and Support for ACS Banner Software Modules*

Demonstration of Contractor's Unique Qualifications:

ACS - Affiliated Computer Services is the manufacturer of this software suite of applications designed for the use of Judicial agencies to provide case management to track the information associated with several types of cases. This request would require support of the following ACS Modules:

<i>ACS Civil</i>	<i>ACS Accounting and Archive Modules</i>
<i>ACS Criminal</i>	<i>ACS Extended Case Information System</i>
<i>ACS Traffic</i>	

The initial application solution was originally procured through a competitive solicitation in 1987. ACS developed and owns the software code and all rights to the software being installed and implemented. The technical data for all the ACS products is proprietary to ACS. The support, training, and configuration and implementation of these applications are only available through ACS.

The services required to perform the support require that the contractor have direct access to ACS code, Fulton County business practices and processes, and all recent updates to the currently used software.

ACS has not licensed or otherwise given access to its proprietary code and data to any resellers or third party vendors.

(Section B must be completed by the Department of Purchasing & Contract Compliance)

SECTION B

MARKET SURVEY

Results of Market Survey:

Include resources researched

Date Public Notice posted on website: *Monday, January 25, 2010*

Date Public Notice closed: *Monday, February 1, 2010*

REVIEW OF OFFER(S)

Were any offers received (Y/N):

Number of offers received:

Respondents:

Date Offers submitted to User Department for review:

User Department review and recommendation:

Purchasing Agent review and recommendation: *Include whether a competitive process is being recommended & estimated date of solicitation.*

CERTIFICATION

Having conducted a good faith review of source availability regarding the materials, goods and or services stipulated herein, subsequent to consultation with the County Manager and the recommendation of the User Department, it has been determined that there is only one source available for the required work, labor or service to be done or the supplies, materials, or equipment to be furnished. Per the Fulton County Code of Ordinances §2-319, Conditions allowing for award of contract without competition. I, Felicia Strong-Whitaker, Purchasing Agent, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.

Felicia Strong-Whitaker
Deputy Director

Date _____

I, Zachary Williams, County Manager, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.

Zachary Williams
County Manager

Date _____