



**EMERGENCY SOLE SOURCE
FILING JUSTIFICATION**

TO: Karena McGovern
CONTRACT # PO2406096
TODAY'S DATE: 8/14/2024
CONTRACT SUB OBJECT CODE: Contract Sub Object Code

CONTRACTOR'S LEGAL NAME	TIN/UBI NUMBER
Corrections Technology Group	

ADDRESS	6515 Trent Ave Ste. 3 Spokane, WA 99212
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EMERGENCY CONTRACT PURPOSE
Purchasing and installing Network Video Recordings (NVR) at Green Hill School to respond to a recent litigation notice requiring the retention of relevant video records associated with a civil rights complaint. Current NVR (storage) does not allow for DCYF/GHS to be responsive which creates legal risk and noncompliance with records retention.

EMERGENCY FUNDING

FEDERAL FUNDING \$	STATE FUNDING \$215,047.50
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CONTRACT TOTAL \$215,047.50	OTHER FUNDING \$
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CONTRACT DATES - This Request for Emergency Contract Filing Must not be more than 3 business days from the date work started or the date of contract execution (whichever came first)

START DATE: 8/13/2024	END DATE: 8/31/2024
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<p>EMERGENCY CONTRACT DEFINITION AND GUIDELINES</p> <p><u>What is considered an emergency?</u> As per RCW 39.26.130, an "emergency" means a set of unforeseen circumstances beyond the control of the agency that either:</p> <ul style="list-style-type: none"> a. Present a real, immediate, and extreme threat to the proper performance of essential functions; or b. May reasonably be expected to result in material loss or damage to property, bodily injury, or loss of life, if immediate action is not taken. <p><u>Guidelines:</u> Procurements under \$10,000 or available through a State Master Contract (non-2nd Tiers) are exempt from competition and any related filing processes, as per DES Policy #DES-140-00. For emergency procurements (see definition above) totaling <u>over</u> \$10,000 and where a State Master Contract for such services is <u>not</u> available, within 2 business days of commencement of work or executing the emergency contract (whichever comes first), contracting staff must submit the following to DCYF for emergency processing:</p> <ul style="list-style-type: none"> • completed emergency filing justification form (this form) • drafted Emergency Contract Notice (for transparency posting on DCYF' website; WEBS posting is not required) • drafted and approved memo* from your Administration's Assistant Secretary to the DCYF Secretary • drafted memo* from the DCYF Secretary to the DES Director <p>*Note: Both memos mentioned above must have your Assistant Secretary's approval and describe the goods/services procured, the details of the emergency, the circumstances leading to the emergency and why the circumstances require the emergency contract.</p> <p>Per DES Policy #DES-130-00, the duration of an emergency contract must <u>not</u> extend beyond the time needed to resolve the immediate threat.</p>
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To expedite DCYF and DES' review of this Emergency Contract, please provide *clear and compelling* answers to the following justification questions:

1. Explain the nature of the emergency and all relevant circumstances associated with the emergency.

Green Hill School (GHS) received a litigation hold by way of the Attorney General's Office that requires all surveillance that may be relevant to the litigation be retained immediately. Currently, existing storage only allows for 30-day video retention, give or take. We are required to retain video effective the date of the notice (which goes back 30+ days) and continue to retain video moving forward until either scope and scale is reduced or there is a resolution that no longer requires this.

DCYF IT and GHS technical staff were able to utilize existing NVR systems on campus (older ones) to retain the previous video that had not yet been overwritten but GHS does not have the NVR systems to retain the rest moving forward effective mid-May. Therefore, DCYF/GHS needs to purchase 3 additional NVR systems and get them installed within the next week or so or we would risk losing video.

Corrections Technology Group (CTG) is the current vendor GHS uses for surveillance and storage needs. They are familiar with the current system and can complete the install and provide the 3 NVRs within the emergent timeline.

2. Describe the threat to the health or safety of individuals, property or essential state functions if immediate action was not taken. Provide an estimate of the potential material loss or damage.

GHS is at risk of being non-compliant with a litigation hold related to responsive records. The litigation is associated with civil liberties which comes with significant risk to the health, safety, and reputation of the Agency. Should there be truth in the complaint, GHS has a responsibility to have the evidence necessary to address the concern immediately. Should the complaint not be factual, this evidence refutes and eliminates the risk.

3. Explain how the goods and/or services of the contractor alleviated or eliminated the emergency. Describe what the consequences would have been if the emergency action had not been taken and the risks associated with inaction.

Current video storage of 30 days has sufficed in normal circumstances; however, in this higher litigation risk environment we are in, situations like this call for additional storage on hand. A longer term plan as an Agency is being considered which will involve a more strategic approach, using competitive procurement; however, due to the recently received litigation hold, we must respond today or risk losing records. CTG is able to meet the responsivity timelines to address this risk/threat as to protect the interests of both the Agency and the clients.

4. Describe the contractor's qualifications, experience, and background in providing the emergency goods and/or services, and the basis on which this contractor was selected over other qualified firms.

GHS has reviewed the State contract list for vendors providing a purchase of this nature. GHS does not have time for delay in purchasing this as it is a health, safety and litigation crisis. This vendor supplied GHS cameras in the past and has proven a supportive and timely vendor in providing technical assistance and expedited set up.

5. Explain how the agency concluded that cost, fees, or rates are fair and reasonable, since competition was not used as the means for procurement.

As noted above, this is extremely time-sensitive. CTG has the facility plans and knowledge of the current surveillance system and can most easily order and install the purchased NVRs with the greatest of ease. Their familiarity with the facility and system also allows for trouble-shooting more easily should there be install issues that could delay retention of video.

- Confirm Program and Contractor agree that the Contract document is in final form
- Drafted Emergency Notice is attached separately to this request (in Word Format - to post on DCYF website for public inspection; posting for emergencies to WEBS is not required)
- Drafted memo* from your Administration's Assistant Secretary to the DCYF Secretary is attached separately to this request
- Drafted memo* from the DCYF Secretary to the DES Director is attached separately to this request

**Both above mentioned memos must have your Assistant Secretary's approval and describe the service procured, the details of the emergency, the circumstances leading to the emergency and why the circumstances require the emergency contract.*

If filing is considered late, obtain your Division Director and Fiscal Approvals.

If the Emergency Contract filing is "late" (where the commencement of work or execution of the Contract - whichever came first - is more than 3 business days from date sent to DCYF for approval, posting and submission to DES), you must also complete and attach the Late Filing Justification Form to this request.