

**Sole Source
Written Determination**

Agency Identification: South Carolina Department of Motor Vehicles

Description of the agency need that this procurement fulfills: *(See instructions on last page for guidance)*

The SCDMV website is critical to the operations of the agency. It serves as the hub for public information and the gateway to secure transactions that provide online services to the agency's diverse public constituents, business customers and law enforcement.

Describe the Market Based on Research Performed: *(See instructions on last page for guidance)*

Through a RFP, SCDMV contracted with NWN Corporation to design, develop, and maintain the SCDMV website in 2016. Kopis, LLC later purchased the development arm of NWN in 2018. The contract was transitioned to Kopis through the novation process. Due to the custom framework and code created by Kopis, a different website support company would be unable to provide ongoing support and maintenance without significant business impact requiring interruptions and major changes.

Sole Source Vendor Name: Kopis, LLC

Based upon the following determination, Agency proposes to acquire the supplies, construction, information technology, and/or services described herein from the vendor named above per SC Code Ann § 11-35-1560 and SC Regulation 19-445.2105, Sole Source Procurement.

Description of supplies, construction, information technology, and/or services vendor will provide under the contract: *(See instructions on last page for guidance.)*

One Year Extension of Maintenance and Support for DMV Website from 8/1/2025 through 7/31/2026.

Explain why the described solution is the only solution that meets the agency's need and how no other identified solutions were sufficient. *(See instructions on last page for guidance)*

The criticality and strategic nature of the SCDMV website requires the agency to ensure the website is properly maintained and supported. As with all high-impact, high-visibility software projects, risks can be substantial if not recognized and controlled. Kopis is uniquely positioned to provide support for the SCDMV website. The underlying code utilizes custom framework and content objects created by Kopis for the SCDMV. In addition, Kopis has developed a deep understanding of the change management and security practices of the SCDMV. Clearance, connectivity, and experience with the SCDMV has been established with Kopis. In addition, there has been a track record of successfully supporting the website with quality service, budget conformance, and strong partnership with the SCDMV team. The scope of services would be: Content Object Maintenance, Website Support, SEO scans, ADA compliance, Security updates and Software patches. The level of effort and risks associated with onboarding a new partner to maintain custom content objects developed by Kopis would require the agency to undergo a significant project without bringing value to the agency. Also, SCDMV requires the vendor to respond quickly to development requests when new online transactions needs are identified or required by legislation. Given the unwarranted level of effort and risks, it is recommended that sole source status be granted. This will allow the SCDMV to mitigate risks, maintain support, and avoid the internal effort of onboarding a new provider that is not familiar with the code or environment. The

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Written Determination**

future of the agency's website content and design will be factored into the State's strategic direction for the Digital Government Services initiative led by Department of Administration.

Note: Determination is not complete without required signatures and dates

Required S

Prepared by

Printed Name: Clifton L. Simmons, Jr.

Approved by:

Printed Name: Adam Wagnblas

Date:

Title: IT Director I

Approval Date:

Title: Director of Administration, SCDMV

The last page contains instructions and is not required to be retained.

**Sole Source
Written Determination - Instructions**

Agency Identification: *(Provide Agency and Number)*

Description of the agency need that this procurement fulfills:

(Do not describe the vendor solution that meets the agency's need. This is often accomplished best by describing the problem the agency is trying to solve.)

Describe the Market Based on Research Performed: *(Enter a description of the market based on research you performed for this procurement including such things as commercially available off the shelf products, vendors providing solutions in the market space, barriers to entry to the market space, benefits and types of customized solutions and how and by whom those solutions are provided.*

- *How were the specifications or scope of work developed?*
- *Will the product be obtained from a third-party vendor or reseller, or the manufacturer?*
- *Will the reseller assist or consult in the implementation?*
- *Length of time and place of delivery?*
- *What types of warranties or other performance guarantees are available in the market?*
- *How and by whom will training be provided?*

Document and retain market research in the procurement workpaper file.)

Sole Source Vendor Name: *(Provide Vendor Legal and dba Name)*

Based upon the following determination, Agency proposes to acquire the supplies, construction, information technology, and/or services described herein from the vendor named above per SC Code Ann § 11-35-1560 and SC Regulation 19-445.2105, Sole Source Procurement.

Description of supplies, construction, information technology, and/or services vendor will provide under the contract: *(Provide a description of the product(s) and/or service(s) identified that will meet the agency's need.)*

Explain why the described solution is the only solution that meets the agency's need and how no other identified solutions were sufficient. *(Provide an informed, objective explanation for the sole source procurement method, including the agency's factual grounds and reasoning as supported by the agency's market research. The agency's explanation should be based on its own conclusions supported by its description of the market space.*

- *Vendor assertions of product differentiation or availability may be obtained as part of market research and are valuable information in the agency's assessment of available solutions, but are not, by themselves, sufficient justification for a sole source determination.*
- *Please do not cut and paste vendor claims, content, or literature in this space.*

Recommend this section be pasted into the required public notice of intent to award without competition.)

Notes:

Authorized Approver signature is the agency head unless the agency head has delegated that authority in writing to someone above the level of procurement officer and provided written notification the MMO.

Approval Date: Sole Source Determinations are required to be approved **prior to contract execution**. The approver should hand write the date at the time of approval.

Drug Free Workplace Act: The agency must obtain a DFWA certification from the vendor if the sole source procurement is \$50,000 or greater.

Cost or Pricing Data must be addressed and documented in the file for any sole source procurement exceeding \$500,000