

WASHOE COUNTY SOLE SOURCE PURCHASE REQUEST FORM

This form is required for sole source approval of any of the following:

Non-grant funds:

- Equipment or supplies exceeding \$25,000
- Professional Services exceeding \$50,000

Grant funds:

- Equipment or supplies exceeding \$3,000
- Professional Services* exceeding \$3,000

*Note: Noncompetitive awards to professionals or consultants that are on retainer contracts are restrictive of competition and not allowable under OMB guidelines.

DEPARTMENT Sheriff
REQUESTOR'S NAME James Cox PHONE # 775-328-3048
REQUISITION NUMBER _____ DATE May 19, 2022
RECOMMENDED SOLE SOURCE SUPPLIER Cellebrite DI Ltd.
ESTIMATED DOLLAR VALUE OF PROCUREMENT (ANNUALLY) \$ 107825.25

Description of good or service requested:

Premium Unlimited Package Unlimited Android/iOS Ultimate SW

Unique features/qualifications required that are not available from another supplier:

The following is a partial list of the software's unique features and qualifications:
Industry's Broadest Device & App Support. Cellebrite has established collaborative business relationships with original equipment manufacturers (OEMs) and wireless carriers worldwide. These global partners send us more than 100 new handsets per month - most prior to actual consumer market release. This allows Cellebrite Mobile Forensics to develop mobile forensics support for new devices prior to our competition. We retain more than 8,000 mobile phones at our company headquarters for ongoing innovation and support.
Technology and Research and Development (R&D) Leadership. Cellebrite provides the mobile forensic industry's most comprehensive Android, Apple iOS, Blackberry, and Windows Mobile support. Cellebrite has a staff of 250+ engineers—the most of any mobile forensics solution provider. We are committed to investing in the ongoing R&D to innovate around customer and market needs.
Physical and Full File System Extraction with Lock Bypass. Cellebrite supports physical extraction while from more than 6,034 different device types, including Android (1000+ devices from Samsung, Huawei, LG, Motorola, and other vendors), Apple iOS, and Windows Phone (Nokia and Lumia). Cellebrite supports more than 8000 devices for full file system extraction including file-based encryption devices up to the latest Samsung Flagships (S20, S21) and devices running Android 11.
Forensically Sound Evidence Every Time: Unlike competitors' "black box" third-party boot loaders, UFED uses custom designed, read-only boot loaders, which ensure forensically sound file system and physical extractions UFED technology includes capabilities that are exclusive to Cellebrite and not available from any other company.

Were other options sought?

If yes, why were they unacceptable? If no, why were alternatives not reviewed?

The nearest competitors provided by Grayshift (currently also in use and funded by Washoe County), Oxygen Forensics, and Paraben Corporation were contacted. Grayshift offers different sets of exploits and is valuable as a parallel (to Cellebrite) forensic tool. Neither Paraben nor Oxygen forensics have the capabilities necessary to conduct forensic examinations such as physical and full file system extraction with lock bypass. None of the competitors have the contacts and business relationships to receive brand new phones. None of the companies have the research and development resources. None of the competitors provide read-only boot loaders that allow for forensically sound file system and physical extractions.

What efforts were made to determine there was no competition for the service or good and how was it determined the price for the purchase is fair and reasonable?

In addition to our forensic examiner/ Investigators input from using "trial period" licenses of other software, the task force is also a part of a National groups such as Internet Crimes against Children (ICAC) which utilizes the same technology for their investigative needs. These national groups regularly share information about the best and most cost effective forensic tools to forensically examine devices capable to storing a d transmitting information. This tool is nationally and internationally recognized as being the most comprehensive cost effective tool.

I have read and understand the Policies and Procedures of the Board of County Commissioners including the Washoe County Grants Manual (if applicable) with regard to sole source procurements. I understand that competition is the preeminent consideration in the expenditure of County and grant funds, and I acknowledge the County's commitment to the principle of fairness to any vendor who would like to do business with the County. After observing these principles and considerations, I hereby submit that the goods, services, and/or supplier specified fit the County's sole source criteria for the following reasons:

Please provide sufficient detail to clearly identify the reason(s) for this sole source procurement request. Select all of the following applicable to the requested purchase. Attach additional information if necessary.

Note: Grant-funded purchases must fall under either 6, 7 or 8 below.

1. The product is unique in design and/or features that are required for a specific application. List the unique features and explain why they are needed for the application the product will be used for.

Cellebrite's business model is to be heavily dependent on their Research and Development, maintaining relationships with various carriers and manufacturers. This give them an industry leading advantage on the newest techniques, strategies, and forensics for supporting their products. Without this data and their commitment to updating their product, there would be no effective way to conduct the forensic investigations that are needed to maintain our capabilities.

2. The product being purchased must be compatible with existing equipment. Identify the existing equipment.

3. The product requested is one which the user has had specialized training for. Identify who the user of this product will be and provide a description of the previous training.

Each of the 6 forensic examiners have had specialized training on the use of Cellebrite software. Detectives Brad Sage, Casey Andrews, Adam Harris, Investigators Robert Hight, Talova Davis. HSI COO Mike Theberge. Cellebrite Digital Forensics Training, Celebrite Certified Operator and certified Physical analyst.

4. Consultants/Subcontractors: The individual/company is the most suitable to provide the service requested and the selection process is based on the following:

There is evidence that the assistance to be provided is essential and cannot be provided by persons receiving salary support within Washoe County.

A selection process was utilized to select the most qualified person.

The consulting charges are appropriate considering the qualifications of the consultant or company based on past experience and the nature of the work to be performed.

5. The product or service is available only from the manufacturer or their authorized representative. Identify the manufacturer or authorized representative, and provide telephone number and address information.

6. The product or service is available only from a single source.

7. The awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the grantee department. (Attach sponsor authorization)


8. After solicitation of a number of sources, competition is determined inadequate.

9. Other. Please explain the specific circumstances and/or requirements that warrant the goods or services request to be procured from a sole source.

The following provides justification as to reasonableness of price: (i.e.; aligns with market pricing, government discount applied, cost analysis was conducted, aligns with historical pricing, etc.)

The pricing is consistent with market pricing and aligns with historical pricing. Due to the constant updates by the various manufacturers, current technologies can become obsolete in months instead of years. Cellebrite has committed heavily to their research and development infrastructure to stay relevant in their field.

I understand that I may be required to justify this sole source procurement before the appropriate authority, including the Board of County Commissioners, and that my signing this document knowing any of it to be false may subject me to administrative action.



Signature of Requestor



Signature
Department Head Approval

James Cox

Print Name

Jeffrey S. Clark

Print Name

For completion by the Purchasing Division:

Sole source justification is adequate and exempt from competitive bidding requirements per NRS 332.115.

Sole source justification is adequate to justify exemption from competitive bidding requirements per NRS 332._____.

Sole source justification is adequate and exempt from competitive procurement requirements Uniform Guidance 2 CFR Pt. 200.320.

Sole source justification is inadequate and request is returned to department for additional justification, instructions on whether to seek competitive bids for the goods or services requested, or to withdraw the request.

Signature
Purchasing and Contracts Manager
(or authorized representative)

Print Name

Date