

Piatt County Sole Source Justification Memo

To: Piatt County Board

From: Seth E. Floyd, Piatt County Circuit Clerk

Date: April 29, 2025

Subject: Sole Source Procurement Justification for Heart Technologies

1. Procurement Overview

Item/Service: Network refresh and recabling

Estimated Cost: \$105,510.44

Vendor: Heart Technologies, Inc.

Funding Source: Court Technology Modernization Grant through the Administrative Office of Illinois Courts (AOIC)

2. Justification for Sole Source Procurement

This procurement qualifies as a sole source for the following reason(s):

- Unique Capability: Heart Technologies will be managing the network that needs to be upgraded with both cabling and new hardware. Heart Technologies is uniquely set up to install the needed materials for which they would need to properly operate and maintain the network once installed.
- Compatibility Requirements: The required materials would best be selected and installed by Heart Technologies as to be compatible with existing and future hardware utilized by Heart Technologies to operate and maintain the network.
- Proprietary Product/Service: n/a
- Emergency Need: There is currently a need to replace existing cabling and hardware immediately as there have been multiple instances of the courthouse network failing to properly operate over the previous months.

3. Impact of Not Proceeding with Sole Source

Failure to procure from Heart Technologies would result in:

Delays of replacing the current deficient set up, additional costs to the county as a result of Heart having to realign or change hardware to be more compatible with the systems they utilize in maintaining the network.

4. Compliance with Procurement Policies

This sole source procurement complies with the Illinois Procurement Code (30 ILCS 500/20-25). A notice of intent will be published in the Illinois Procurement Bulletin for at least 14 calendar days prior to contract award.

5. Statutory Reference

This justification is submitted pursuant to Section 20-25 of the Illinois Procurement Code (30 ILCS 500/20-25), which governs sole source procurements. This statute permits the award of a contract without competitive bidding when there is only one economically feasible source for the required supply or service. Full statutory text is available at:
<https://www.ilga.gov/legislation/ilcs/ilcs4.asp?ActID=532&ChapterID=7&SeqStart=8450000&SeqEnd=10000000>

Prepared by:

Seth E. Floyd

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Examples of Valid Sole Source Justifications

- Unique Capabilities or Proprietary Items: The item or service is proprietary and only available from a single source (e.g., patented technology, copyrighted material).
- Compatibility Requirements: The item must match or be compatible with existing equipment or systems, and only one source can provide it.
- Utilities or Regulated Services: Natural monopolies such as electricity, water, or local telecom services where no competition exists in a geographic area.
- Specialized Expertise: Services from a provider with unique qualifications (e.g., sole author, inventor, or licensed distributor).
- Public Universities and Research: Certain procurements by higher education institutions may qualify if only one institution or individual offers the necessary academic or research service.

Procedural Requirements

- Public Posting: All sole source determinations must be posted in the Illinois Procurement Bulletin for at least 14 calendar days before award.
- Written Justification: The requesting agency must submit a detailed written explanation, including:
 - Why the vendor is the only source;
 - Why no alternatives exist;
 - Market research (if any) conducted to support the claim.
- CPO Review and Approval: The Chief Procurement Officer must approve all sole source procurements, and many cases require Procurement Policy Board notification.

What Constitutes a Sole Source Contract

A sole source contract is one that is awarded without a competitive bidding process because only one vendor is determined to be economically feasible or practicably available to provide the required goods or services. These contracts are closely scrutinized to prevent misuse and require strong justification and procedural compliance.

Legal Definition under Illinois Statute (30 ILCS 500/20-25)

According to the Illinois Procurement Code (30 ILCS 500/20-25):

"A contract may be awarded without use of the specified methods of source selection when there is only one economically feasible source for the item. A written determination by the chief procurement officer shall be filed with the Procurement Policy Board and the Comptroller prior to award and shall include a description of the item, the intended sole source contractor, and the reasons why only one source is economically feasible. A notice of intent to enter into a sole source contract shall be published in the Illinois Procurement Bulletin at least 14 calendar days before contract award."