

County of Monterey
General Services- Contracts/Purchasing Division
JUSTIFICATION OF SOLE SOURCE/SOLE BRAND REQUEST

Date: 5/19/25

1. Please indicate the following:

Procurement: ☒ Goods
☒ Services

Description of Item: Continued contract with OpenText, LLC for RightFax Service

(Check One)

☒ Sole Source: Item is available from one source only. Item is a one-of-a kind and is not sold through distributors. Manufacturer is the exclusive distributor.

☐ Sole Brand: Various sources can supply the specified model and brand and competitive bids will be solicited for the requested brand only. Meets form, fit and function- nothing else will do.

Note: Sole Source/Sole Brand Requests are not maintained as a standing request. Each request is for a single one-time purchase only.

Sole Source/Sole Brand Request is not an Agreement.

2. Vendor Selection:

☐ Preferred Vendor
☒ Sole Source

Vendor Name: OpenText Inc
Address: 951 Mariners Island Blvd City: San Mateo State: CA
Phone Number: (409) 204-2204 Fax: ()
Contact Person: Mark Jennes Title: Sr. Account Executive
Federal Employer #: _____

3. Provide a brief description of the goods/services to be purchased and why this purchase is being proposed under a sole source acquisition.

a) Why were product and/or vendor chosen?

Request is for continuation of RightFax agreement with OpenText, Inc. OpenText is the manufacturer of RightFax solutions renamed as OpenText Fax. County has utilized RightFax as the enterprise fax solution for over 15 years.

b) What are the unique performance features of the product/brand requested that are not available in any other product/brand? For Services: what unique qualifications, rights, and licenses does the vendor possess to qualify as a sole source/brand request?

OpenText, Inc. is the manufacturer and there is not other vendor that provides the cloud hosted solution for RightFax.

c) Why are these specific features/qualifications required?

RightFax enterprise faxing that is cloud hosted is required.

d) What other products/services have been examined and/or rejected?

Utilizing AT&T measured business lines is an alternative and does not meet the requirements of county departments utilizing RightFax that allows electronic copies that can be saved and forwarded without manually handling paper faxes.

e) Why are other sources providing like goods or services unacceptable (please give a full meaningful explanation)?

No other vendor will provide cloud hosted faxing for RightFax other than OpenText.

- f) What are the unique performance features REQUIRED (not merely preferred), and how would your requirement be inhibited without this particular item or service?

Continued services through OpenText for RightFax is essential and departments that rely on multiple faxes daily cannot have service interruptions. This service needs to be stable through a single vendor that provides cloud hosting for RightFax.

- g) Estimated Costs:

OpenText RightFax costs for a cloud hosted environment will not exceed \$20,000/year.

4. Is there an unusual or compelling urgency associated with this project?

☐

No

☒

Yes (Please describe)

There was a delay in submitting this request as a third party vendor was expected to be able to charge for RightFax in the cloud services but cannot. Third party vendor can only provide recurring software support renewals.

THE FOLLOWING TO BE COMPLETED BY THE REQUESTOR

I hereby certify that:

1. I am an approved department representative and am aware of the County's requirements for competitive bidding, as well as the criteria for justification for sole source/brand purchasing.
2. I have gathered the required technical information and have made a concentrated effort to review comparable and/or equal equipment.
3. The information contained herein is complete and accurate.
4. There is justification for sole source/brand purchasing noted above as it meets the County's criteria.
5. A sole source/brand purchase in this case would withstand a possible audit or a vendor's protest.

DocuSigned by:
Sarah House
0644A2E4291D493...
Requestors Signature

5/19/2025 | 3:22 PM PDT
Date

DocuSigned by:
Alex Chung on behalf of Eric Chatham
70605D7A683445A...
Authorized Signature by Department Head

5/19/2025 | 3:23 PM PDT
Date

Signed by:
Debra Wilson
9F9A0CA1A01E43C...
Approved by Contracts/Purchasing Officer

5/19/2025 | 4:46 PM PDT
Date