

OTERO COUNTY SOLE SOURCE REQUEST AND DETERMINATION FORM

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the County Purchasing Agent. The foregoing requirement is regardless of whether the *sole source request for determination* has been signed by the Agency and/or the Contractor.

I. Department/Division: Assessor's Office

Assessor: Steve Boyle

Telephone Number: 575-437-5310

II. Name of prospective Contractor: Pictometry International Corp.

Address of prospective Contractor: 100 Town Centre Dr., Suite A,
Rochester, NY 14623-4260

Amount of prospective purchase: \$303,298.13

Term of prospective contract: 9 years (triennial project)

III. **Please thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:**

Otero County Assessor's Office is seeking to acquire a new aerial imagery that includes the most populated areas of Otero County including the city limits of Alamogordo.

The County has areas with a mature forest that will require a "no leaf" flight. The suggested flight schedule is mid-October through March of 2016 to accomplish the best visibility for the final product.

Otero County is seeking aerial imagery that consists of 9-inch or better pixel resolutions in both orthogonal and oblique views in 4 cardinal directions (east, west, north and south) with the following minimum specifications:

- Imagery must be acquired using an acknowledged certified Oblique/Ortho camera system.
- Orthogonal and oblique views from all four directions (east, west, north and south) captured by cameras or sensors without any floating parts.
- Photos shall be referenced to the New Mexico State Plane Coordinate System, Zone

Central North American Datum 1983 (NAD 83). Ground units of measurement shall be in US Survey feet.

- An image index is to be provided in shape file format. High resolution scanning is required and color balancing shall be across entire project area.
- All imagery is to be free of clouds, cloud shadows, and any other blemishes.
- Imagery is to be ortho-rectified to the 2015 Digital Terrain Model (DTM) provided by Otero County needs.
- 1:600 or 1:1,200 national map accuracy or better over the entire coverage area. The 1:600 is preferred.
- Must include a stand-alone viewer/image browsing software that is network compatible.
- Have the ability to accurately measure distances, areas, and heights on the oblique imagery, while taking into account change in terrain and elevation.
- View/image browser must include a minimum of 100 concurrent licenses.
- Must be compatible with any Windows, AutoCAD, or GIS application, and specifically ESRI's ArcGIS.
- Company must provide technical support for view/image browsing software.
- Viewer/browser should include value added layers such as street layers, demographic and FEMA data.

Deliverables

- 9-inch or better resolution digital aerial ortho photos in a contiguous map format.
- One area-wide one meter mosaic in ECW format.
- Traditional orthogonal view and 4 cardinal oblique views (east, west, north and south).
- Finished digital ortho-imagery shall be furnished in industry standard JPEG and MrSID formats on DVD's or external (USB2) hard drive, to be decided by Otero County before the completion of the project.
- Any exceptions to the above requirements must be clearly identified in price proposal. Further any proprietary formats must be clearly identified along with an explanation of any software required to view or manipulate the product. Such software must be compatible with ESRI software.
- Ability to export from viewer/browser software in PDF, tiff, tiff/tfw, dxf, jpg, or bmp formats.
- Ability to import shape files into viewer/browser software.

- IV. Provide an explanation of the criteria developed and specified by the agency as necessary to perform and/or fulfill the contract and upon which the state agency reviewed available sources. (Do not use "technical jargon;" use plain English. Do not tailor the criteria simply to exclude other contractors if it is not rationally related to the purpose of the contract.)

The Assessor's Office is seeking a vendor to provide digital aerial ortho and oblique photos for the purpose of visualizing and measuring properties when access is not available by any other means. We are seeking the most qualified, reliable and reputable vendor who can

provide the product and software necessary to accomplish our duties in the field of assessment.

- V. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor ***the one source*** capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)

Pictometry is the largest vendor in the United States offering Aerial Ortho and Oblique photos. Their highly accurate and proprietary photo system combined with their software to utilize the photos for the purpose of collecting exterior measurements needed in our Appraisal Process makes them the one source capable of providing the product and service we require. Pictometry has been in business for 18 years and is a growing company with a stable future. Its imagery and software is currently utilized by over 800 counties, several states and a growing list of international countries.

- VI. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are ***unique and how this uniqueness is substantially related to the intended purpose of the contract.***

Pictometry has 26 Patents in their portfolio that protects their right to exclusively produce and deliver their products and services. These patented products and services are proprietary and are not available to other vendors. See page 2 of the attached document provided by Pictometry regarding the uniqueness of this vendor.

- VII. Explain why other similar professional services, services, construction or item(s) of tangible personal property ***cannot*** meet the intended purpose of the contract.

Other vendors cannot meet the intended purpose of the contract because no other vendor offers the proprietary “change finder software” that works with the ortho and oblique imagery. In addition no other vendor of oblique and ortho-photography has the proprietary patented tool for accurately measuring the height, length and width of the oblique images.

Pictometry is the only oblique imagery product that integrates with Assessor’s existing appraisal and mapping applications: Pro-Val and ESRI’s ARC GIS.

- VIII. Provide a narrative description of the agency’s due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet; reviewing telephone books and other advertisements; contacting similar service providers; and reviewing the State Purchasing vendor list. Include a list of businesses contacted (***do not state that no other businesses were contacted***), date of contact, method of contact

(telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

The Assessor's Office has researched various sources such as the internet, advertisements in the IAAO (International Association of Assessing Officers) Magazine, a trade magazine for Assessors and attended several IAAO Conferences where vendors are present promoting their products and services. We have also verified with other Assessors in New Mexico and one in Boulder, Colorado that have contracted with Pictometry, that there is no other vendor that can provide a highly accurate and precise product comparable to Pictometry's Product and Software. An article on geospatial-solutions.com written on July 2, 2013 provides excellent information and lists Pictometry as the "dominant force in oblique imagery capture for more than a decade, thanks partially to patents and surrounding technology the company has developed." See: <http://geospatial-solutions.com/oblique-imagery-the-new-kids-on-the-block/>

Pictometry is the only vendor in America whose oblique aerial capture system has been certified by the U.S. Geological Survey. Their oblique cameras have been certified by the USGS as capable of providing quality, consistent image data to support civil government programs at the performance level specified in the USGS Sensor Type Certification Report.

No other vendor other than the prospective contractor can perform the contract because no other vendor offers the same combination of Aerial Photography combined with the software needed to fully utilize the final product.

Certified by: Requesting Agency Staff

Date: _____

Requesting Agency Staff

Requesting Agency Approval by:

Date: _____

Dept. Director/Manager