

**CITY OF CARLSBAD  
SOLE SOURCE AND EMERGENCY PROCUREMENT 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 Purchasing Manager. *A purchase order will not be issued and orders may not be placed until the sole source determination as been posted for a minimum of 15 days.*

I. Name of Company: Converus Date: 8/10/22

Please Check One: New Sole Source  Renewal of Existing Sole Source

Please Check One:  Product  Services  Product and Services

Type of Sole Source Requested: *(Please check the one that best describes the type of Sole Source you are requesting)*

**Company Sole Source** (Only one company can provide the goods or services)

**Brand Name Sole Source** (Only this brand will serve the intended purpose or function with existing equipment or systems, including software)

**Unique Professional Services** (Only one company or individual can provide this service due to the creative nature of the service or custom delivery of goods or services that are unique and subject to custom design and/or fabrication.

*\*\*Please note- True Professional Services under \$60,000 in value are considered a small purchase and does not require a sole source determination.*

**Proprietary Sole Source** (Only this company provides this product or service and only this company can provide after sale maintenance, repairs or service agreements)

**Local Sole Source** (Only one company exists to provide this product or service locally and due to the nature of the purchase, it is not feasible or reasonable to obtain the product or service from non-local sources. Only one local vendor is able to respond to the need in a timely manner due to local proximity)

Amount of Purchase \$ 8,050.00

II.  **Emergency Procurement Request**

**DEFINITION OF EMERGENCY CONDITIONS:**

An emergency condition is a situation which creates a threat to public health, welfare, safety or property such as may arise by reason of floods, epidemics, riots, equipment failures or similar events. The existence of the emergency condition creates an immediate and serious need for services, construction or items of tangible personal property that cannot be met through normal procurement methods and the lack of which would seriously threaten:

- A. the functioning of government;
- B. the preservation or protection of property; or
- C. the health or safety of any person.

Please provide a detailed explanation for why the purchase required meets the above definition of an Emergency Condition.

N/A

\*\* The Emergency Determination will only be in effect as long as needed to alleviate the emergency conditions. Once the emergency condition has passed, regular procurement methods and procedures must be followed.

Amount of purchase: \$ \_\_\_\_\_

**Sole Source Determination**

III. 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.”)

Converus in the sole source manufacturer and exclusive licensor of the technology and associated patents for the credibility assessment solution known as EyeDetect.

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IV. 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*.

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


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- VI. Provide a narrative of the due diligence used in determining the basis for the procurement, including a review of available sources and include 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, provide the goods or services; or an explanation of why the department has determined that no businesses other than the prospective contractor can provide the goods or services requested.

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APPROVED:

Date: 8-10-22

  
\_\_\_\_\_  
Chief Procurement Officer

\_\_\_\_\_  
Extension Date: \_\_\_\_\_

\_\_\_\_\_  
Extension Date: \_\_\_\_\_

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Extension Date: \_\_\_\_\_

\_\_\_\_\_  
Extension Date: \_\_\_\_\_

Authority to Proceed

- 1) the signature of the CPO on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenges;
- 2) the sole source is granted as of the date of signature by the State Purchasing Agent; and
- 3) the signature of the CPO on this form is the final signature required for this sole source procurement.



March 1, 2022

100910

To Whom It May Concern:

Converus, Inc. is the sole-source manufacturer and exclusive licensor of the technology and associated patents for the credibility assessment solution known as EyeDetect®. Converus Inc. owns all pending patents and technology rights for the commercial development, production, manufacture, use, sale, reproduction, and preparation of derivative works for the product.

EyeDetect became generally available in June 2014 and is in commercial use by government and companies within the public and private sectors in the United States, Canada, United Kingdom, Singapore, Czech Republic, Mexico, Guatemala, Panama, Colombia, Spain, Chile, Ecuador, Peru, El Salvador, South Africa, and other countries.

As the sole manufacturer of EyeDetect, Converus, Inc. does NOT need proof of manufacturer reseller authorization.

With regards to the FAMPER Pro Smart Webcam and Amazon Basics 24-Sheet Cross-Cut Paper Shredder, Converus has rights to purchase and resell these items via our Amazon Business Account Number AF6Z6PL9CR7PA. A separate proof of manufacturer reseller authorization is not required for these ancillary components that are readily available in the open market.

Thank you for your consideration. I am available to discuss any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Todd K. Mickelsen".

Todd K. Mickelsen  
President & CEO  
+1 801-362-7538  
[tmickelsen@converus.com](mailto:tmickelsen@converus.com)



June 29, 2022

Lieutenant Adrian Rivera  
Criminal Investigation Division  
Carlsbad Police Department  
602 West Mermod St.  
Carlsbad, NM 88220

Dear Lieutenant Rivera,

Hiring trusted individuals is important for all organizations. For government entities involved with public safety and national security, it is critical. This is particularly true when you add heightened public awareness and scrutiny around team member mistakes or poor decisions. Conversely, shrinking budgets and dwindling candidate pools are requiring entities to look for ways to shorten the hiring process while spending less.

EyeDetect® is an automated credibility assessment test that is fast, accurate and affordable. EyeDetect has been used since 2014 and is the only solution in the world to measure deception based on involuntary eye behavior. Using EyeDetect for pre-employment screening has the following benefits:

- **Economical** – Using EyeDetect at the beginning of the hiring process saves agencies from performing unnecessary and costly hiring activities for candidates that would eventually fail a polygraph.
- **Efficient** – Screening out candidates that would eventually fail a polygraph allows you to focus your efforts on your most viable candidates. As a result, these candidates will move through your process more quickly.
- **Accurate** – EyeDetect is the most accurate screening test available. Scientific studies show that using EyeDetect for screening has an accuracy range of 88% to 91%.
- **Consistent** – Tests are scored by a computer using an automated algorithm. The test administrator cannot change test results. Test data are encrypted and tamper-proof.
- **Fast** – One EyeDetect Station can be used to administer a multi-issue screening test every 30 minutes. Test results are ready in less than 5 minutes after test completion. During an 8-hour workday, one test administrator with 3 EyeDetect stations can run up to 40 tests with great results.

EyeDetect has helped entities all over the world streamline and shorten their hiring process, decrease hiring costs, and increase confidence in the quality of the individuals being hired.

Thank you for your interest in EyeDetect. We look forward to working with you on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Johnson".

Adam Johnson  
Account Manager  
Office Phone: 801-331-8840 x1012  
Email: [ajohnson@converus.com](mailto:ajohnson@converus.com)



## Company Background

Converus is a leading provider of scientifically validated credibility assessment technologies. Our technologies are destined to change the way the world detects deception. In 2014, Converus released a revolutionary lie detection technology called EyeDetect. EyeDetect is the first viable, scalable, scientifically validated credibility assessment method invented since the polygraph was introduced nearly 100 years ago.

EyeDetect is currently used by more than 600 customers in 50 countries in 50 different languages, including:

- **Federal** – Federal agencies in Singapore, Mexico, Guatemala (funded by the U.S. Department of State), Peru, Colombia, Panama, Jamaica, Czech Republic, and an Arabic-speaking agency.
- **Law Enforcement** – Nearly 70 law enforcement agencies and corrections facilities in the U.S.
- **Corporate** – Hundreds of non-U.S. corporations including financial institutions, security companies, staffing agencies, manufacturers, and others.
- **Therapists, Attorneys & Private Investigation** – And an ever-growing number of therapists, attorneys, and private investigators.

## About the Solution

### HOW IT WORKS

Studies show it takes more cognitive effort to lie than to tell the truth. During questioning, lying causes subtle, involuntary changes in the eyes of the examinee due to the increased cognitive load required to suppress the truth, create the lie, and sustain its uniformity and believability. EyeDetect measures these changes in pupil diameter, eye movement, blink rate, and fixations.

### TEST ADMINISTRATION

During a test, examinees answer simple questions on a computer using a mouse. A high-speed camera records eye behaviors and movements. When the test is finished, responses to questions and eye measurements are uploaded to a web server for analysis and immediate scoring. To run a test, you need specialized equipment with software installed and a test license.

### TEST RESULTS

Authorized users get test results in a web-based dashboard. A Converus Credibility Score indicates whether the person was truthful or deceptive. A test







report is automatically created whenever a test is scored.

#### EyeDetect HARDWARE

A specifically configured computer, called the EyeDetect Station v4, is required to run EyeDetect tests. Each EyeDetect Station consists of the following: Dell Latitude 3420 laptop (configured specifically to run EyeDetect), Optical scanner, Laptop stand, Mouse, Chinrest (not required), Headphones and Carrying case. The hardware will be shipped to your location. All software, including upgrades and enhancements, are pre-installed on the equipment.

#### EyeDetect SOFTWARE

The following software is provided as part of the solution:

- **EyeDetect** – Software application used for test administration; it is pre-installed on the EyeDetect Station. Eye measurements and test responses are temporarily stored on the computer. When the software is synchronized with a web server, all test data are uploaded for analysis and scoring.
- **EyeDetect Admin** – Software application used to configure the Station to record tests and data for specific accounts (sub accounts); it is pre-installed on the EyeDetect Station.
- **EyeDetect Manager** – Software application used by a test proctor to monitor the EyeDetect station running tests; can be installed on any Windows device.
- **Dashboard** – A web-based dashboard to see and review test results, to run reports and to manage test licenses, users, and sub accounts.

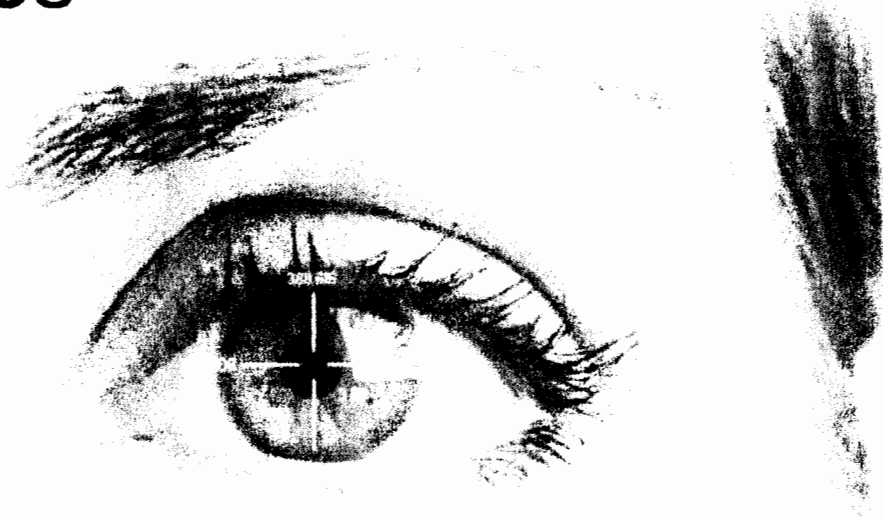
#### EyeDetect TESTS & TEST LICENSES

- **Test Licenses** – Every test that is scored requires a test license.
- **Test Templates** – Customers have access to an unlimited number of test templates.
- **Test Writing Assistance** – Customers may receive assistance customizing up to ten (10) tests or templates per year.

#### EyeDetect TRAINING & IMPLEMENTATION

A Customer Success Manager will assist in training and implementation including the following:

- **Welcome Call** – Review of your purchase and validation/clarification of your use case
- **Training** – Introduction to software usage and how to administer and score tests
- **Test Creation** – Converus staff will assist with initial creation of tests
- **Test Creation Training** – Customers can be trained to create customized tests
- **Training Resources** – Unlimited access to online videos and virtual training held three times per year
- **Certification** – There are 8 potential training certificates available at no additional cost



# Price Proposal for Carlsbad Police Department

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This Sales Proposal contains all details relevant to scope of work and pricing as requested by Lieutenant Adrian Rivera

PREPARED BY

Converus,  
Adam Johnson, 801-331-8840 x 1012, [ajohnson@converus.com](mailto:ajohnson@converus.com)



## Pricing

ACTIVITY	UNIT PRICE	QTY	EXTENDED
HARDWARE			
Standard EyeDetect Station	\$4,800	1	\$4,800
Station Shipping	\$50	1	\$50
TEST LICENSES			
1 Year Software Subscription - Law Pre-Employment Screening & Investigative Interviewing (Unlimited Tests)	\$3,200	10,000	\$3,200
TRAINING			
Online Training – With Customer Success Manager	\$0	1	\$0
<b>TOTAL YEAR 1 PRICE</b>			<b>\$8,050</b>

### Pricing Notes:

- The Dell laptop computer includes 3-year, onsite warranty.
- Customers needing assistance with additional customized tests will be charged \$50 per test.
- Taxes if applicable have not been included.
- Payment terms are Net 30.
- Pricing valid for 60 days.