City of Toledo

Sole Source Memo

January 2021

Rachel Rine
Website Manager
Information, Communication, and Technology
City of Toledo, OH
One Government Center, Suite 3000
Toledo, OH 43604

Dear Rachel,

Thank you for letting us know that the City of Toledo is interested in exploring a sole source process to procure our hosted service. Open Counter Enterprises, Inc. is the only available source for the OpenCounter software, including our Permit Discovery Portals and Zoning Calculator, both of which are unique and proprietary. We are also the sole source for the support, maintenance, and development of this product.

We're solving a unique civic challenge, permit scoping, by utilizing both proprietary technology (e.g. zoning API, word vectors, calculation and rules engine) and deep subject matter expertise (which empowers powerful data/analytics processes). We interpret the City's municipal code, land use and zoning ordinance, and combine that with a powerful algorithm that makes the information available in common language so the community can self-serve.[1]

We also have a long track record of working with your existing stack of permitting and land management software and have designed and implemented a seamless handoff between our function (education and scoping) and the core functions of your extant land management platform. Following this letter is additional information that has been previously used to justify sole source procurements in other public agencies as well as attached formal sole source awards from communities who have followed this process previously.

We're uniquely positioned to execute on a project that delivers an efficient and economical solution for the City of Toledo and believe our value proposition is unique in the marketplace.

Please do not hesitate to contact me should there be any questions. We are looking forward to serving the City of Toledo.

All our best,

Clint Knittle

Director of Sales

[1]See an example by searching the "Business Portal" to try and open a pizza shop or nail salon here: https://cincinnati.opencounter.com/

General Description of Service

OpenCounter began from a different position than most existing permitting and licensing tools on the market. We have built inward from the public digital experience of permitting rather than outward from staff tooling and have built tools that bridge the gap between the public exploration of permitting requirements and fees and the tools needed to apply, manage and renew permits and licensing.

When citizens start a business or are looking at doing a home improvement project, they are confronted with complex requirements from the public sector, including multiple permits from different departments, each with its own terminology and procedures. Tradespeople and permit expeditors know how to navigate these processes, but non-professionals are often left behind. Their lack of experience can lead to delays and missteps, and a massive amount of non-recoverable staff effort. Solving this complex service delivery problem was our first major effort, and we helped to define the marketplace for "Permit Discovery."

With the launch of our Intake and Issuance tools, OpenCounter now has a modular platform that can fill any gap in a community's Service Delivery Model. Our Permit Discovery Portals can sit aside or atop legacy permitting stacks, while our Intake and Issuance tools can be used to digitize legacy permits or model new areas of public policy enablement.
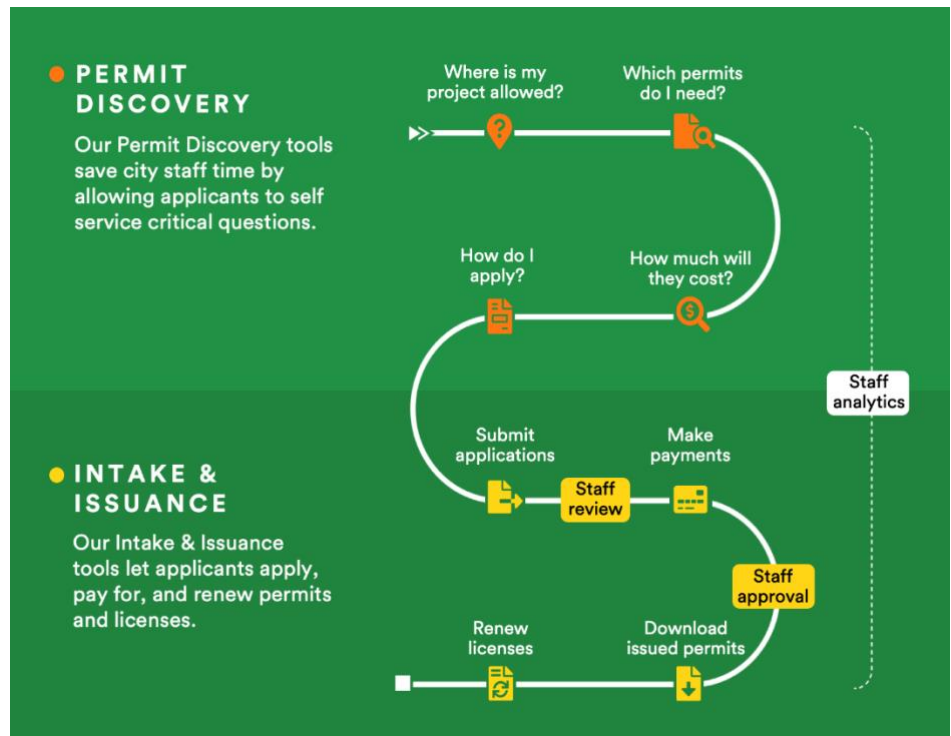
Other Communities who have sole-sourced OpenCounter (partial list):
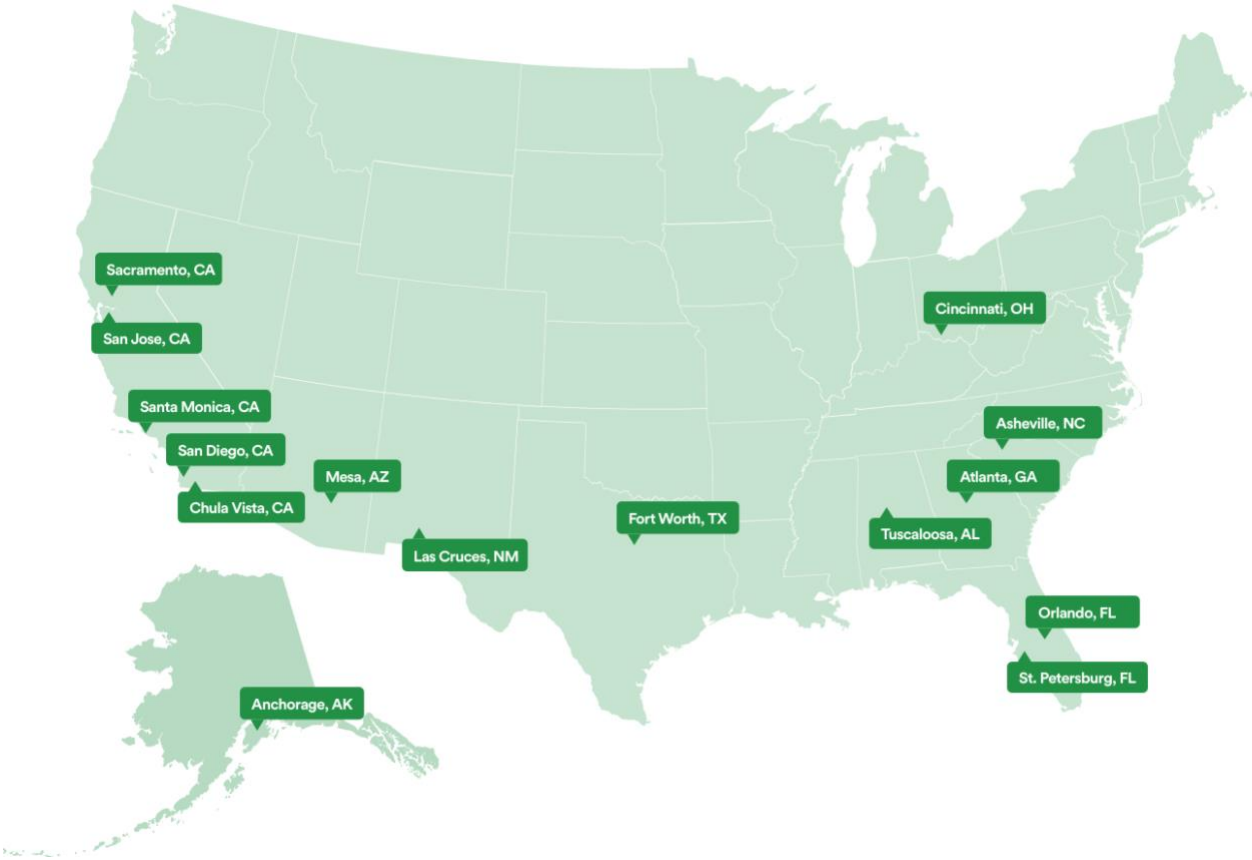
OpenCounter Specific Unique Features / Technology

Land Use and Cartography Features

Location Specific Permit Scoping: OpenCounter is the only location-aware scoping tool commercially available to local governments. Our software uses City-qualified GIS data to determine the specific permit payload for a project in every location inside County limits. Using our patent-pending Zoning API, OpenCounter is capable of using location-specific data to inform planning and zoning permits, calculate impact fees and model highly specific location-based rules codified in the municipal code.

Secondary Use Questions: Will your business have live entertainment after midnight? Answer a simple yes/no question and the map instantly reflects the nuances expressed in the footnotes and limitations required by the zoning code. We've turned a repetitive process that can take staff hours or even days to do this complex lookup into an online flow that takes the average applicant less than eight minutes. This information is sourced from an initial reading of the code by our AICP certified accounts team and then verified by staff.

Reverse geocoding: Constituents can search by address or across the entire city map with intuitive and user-friendly clicking and zooming. We have not seen this design feature in any other permitting stack.

Display of zones and overlay: Every community is a geographical Layercake. We detect the presence of hazard zones, flood plains, historic preservation areas, etc. and connect these attributes to additional requirements like Fire Mitigation requirements, and Design Reviews. Further, significant areas of the city can be subject to special zoning requirements as a result of planned developments. Our staff works to capture these exceptions and display that critical information to the applicant and built them into the flow of the permit scoping tool to both educate applicants and set a realistic timeframe for staff review.

Word Vectors: No one ever asks to open a "personal services" business or a "group fitness facility," but they can ask OpenCounter to start a "threading" business or a "yoga studio," and get to a properly classified Use Code. No other vendor uses our search methodology which employs a complex "word vector" methodology that leverages a corpus of over 400,000 use codes, definitions, and synonyms collected over the history of the company. Our search algorithm is also self-learning, so the more it is used, and the more Cities and Counties sign up for the service, the stronger this feature becomes.
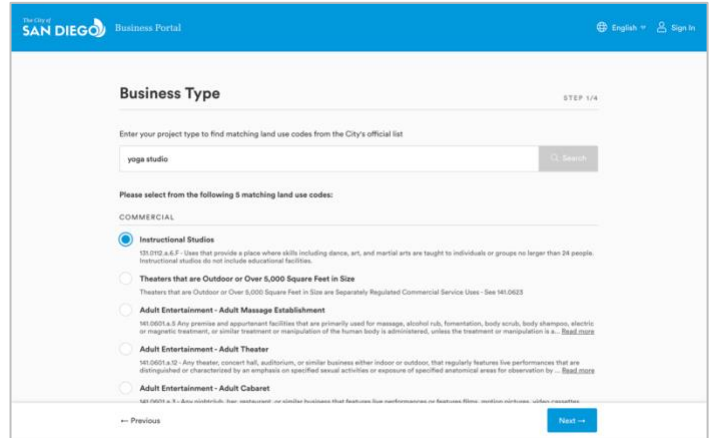
Use Normalization: Upon selection of a formal use code or project type, our software will normalize the project classification to the proper zoning designation, building occupancy class, impact fee classification, and NAICS code, automatically. This is accomplished with internal scripting tools and then verified by our clients before launch.

Permit Discovery Features

Rules Engine: OpenCounter has the most sophisticated fee rules engine in the industry. Our system goes far beyond the typical "if-then" statements. Our rules engine handles even the most sophisticated requirements. We've worked with over 70 jurisdictions, and we've yet to encounter a fee rule we couldn't model, from complicated impact calculations to fees based on locations or other geospatial conditions, we can handle it all. This has tangible results for both applicant and staff and leads to Time Savings and higher rates of Permitting Compliance)
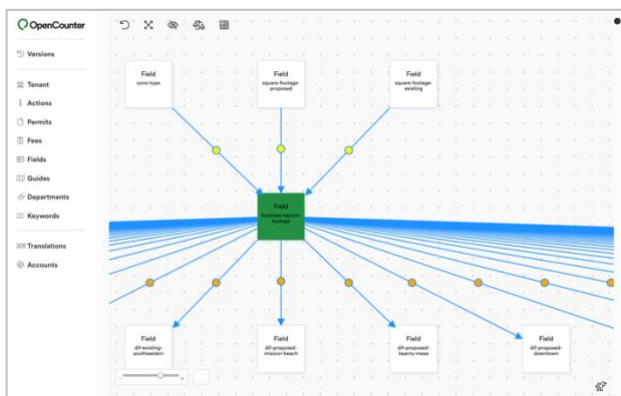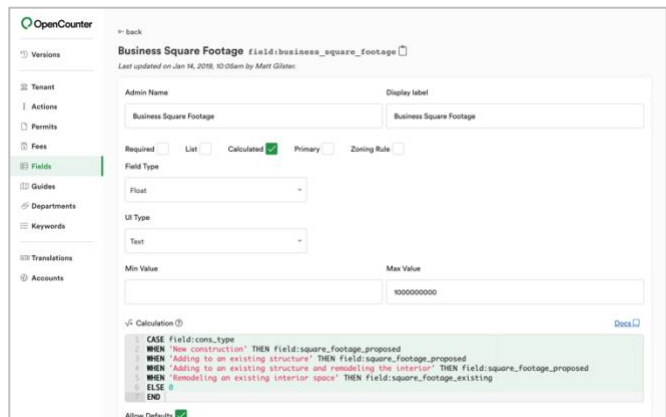
Rules Modeling: We are able to export and map the dependencies and implications of every question in the system, and the most important questions are placed first. Each subsequent question in an application is driven by a complex model and is not human-generated.

Real-Time Fee Calculation: Powered by the normalization process outlined above, we are the only vendor who can calculate estimated permit costs across all city departments in real-time as applicants navigate through the system. Applicants are able to change answers, explore different scenarios and see the impacts on their project costs in real-time.
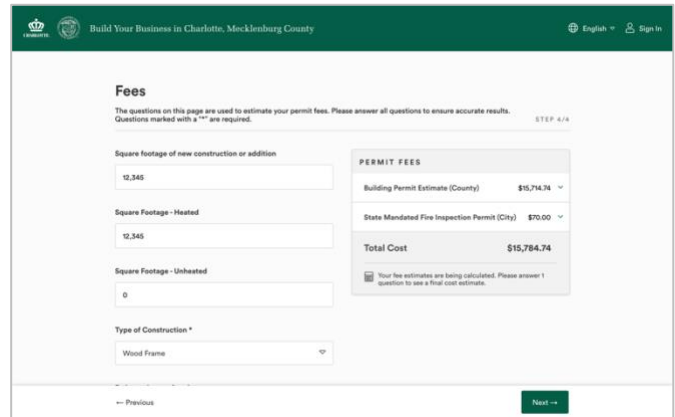
Platform Features
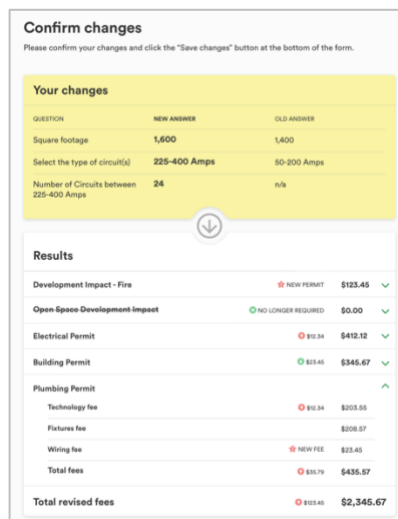
Versioning: The only permitting platform with a versioning system built in to track implementation of public policy through various versions of fee schedules and permit rules. This is designed to empower metrics across time as well as reduce siloed data.

Responsive Design: Unlike the vast majority of civic vendors, our software comes mobile and tablet versions ready, out of the box.

Localization: We are also the only vendor who is able to localize these unique features experience into more than 30 languages and then use a proprietary API connection to a translation service that will update localized sites within 48 hours of content changes on the English installation.
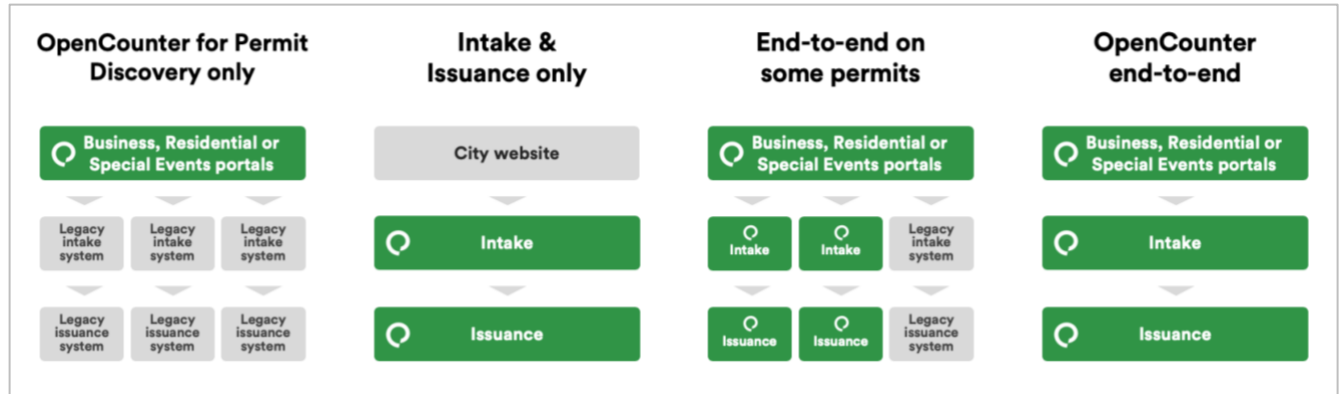

Secure: We take security seriously. Our platform is served over SSL, encrypted-at-rest, and backed up to an ISO 27000/SOC 1 and SOC 2/SSAE 16/ISAE 3402 facility.

**Accessible:** Our platforms are compliant with WCAG 2.0 AA, Section 508, and ADA.

Service Delivery Features

**Modular Approach Designed to Minimize Organizational Change**:

OpenCounter now has a modular platform that can fill any gap in a community's Service Delivery Model. Our Permit Discovery Portals can sit aside or atop legacy permitting stacks, while our Intake and Issuance tools can be used to digitize legacy permits or model new areas of public policy enablement.

Handoff Functions: Our solution provides a unified front-end experience to the applicant for an often disparate set of processes that can vary greatly depending on which city department owns it. Our team sets up detailed "next steps" for each permit and then directs them to the department's preferred application method, whether that's in person, on paper, a legacy permitting platform of a continuation of the OpenCounter experience through our Intake and Issuance tooling.
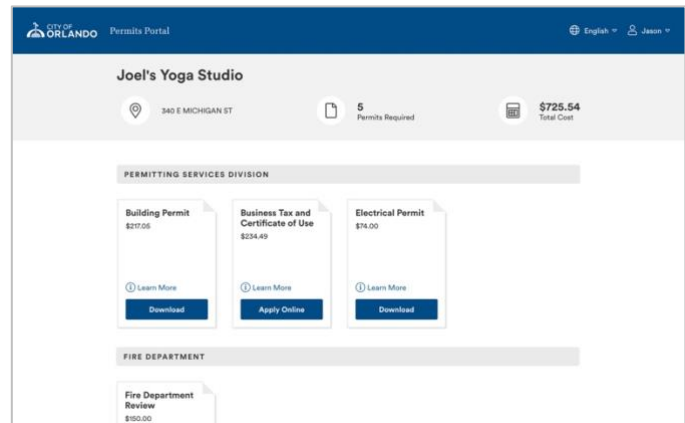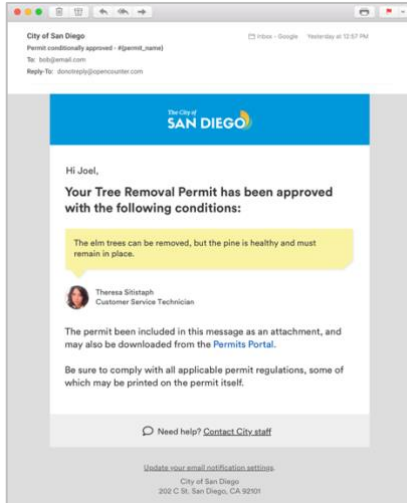
Ability to leverage existing City Systems: OpenCounter is capable of working with many existing vendors to "handoff" scoped permits to the proper endpoints in existing LMS/point solutions. We have completed over a dozen successful integrations/handoffs with other communities in the last five years and have worked to create non-customized handoffs that seamlessly lead applicants from permit discovery to permit application functions in legacy permitting platforms.

Notification and Audit Functions: Every OpenCounter session that requires/requests staff support is fully paper trail audited and digital copies of applicant answers are remitted to the applicant and staff. This prevents people from playing departments against each other in their code analysis or "shopping for planners."

Professional Services

Experience: OpenCounter is the only permitting solution in the market that sources its account team from the public sector exclusively. Our implementations are provided on a fixed fee basis, and our pricing is based on real-time commitments from similar projects nationwide. We do not hire outside implementing firms.

Audit Trail: Every deliverable and task is tracked, documented, and delivered through email workflows using BaseCamp 3.

No Self-Service: The atomized nature of regulation means that we know that staff can't configure this city-wide. Not only is there no time or technical inclination, but it takes a neutral, outside consultant to model rules and regulations across departments and divisions and create the dependency tree and land use matrix that powers these sites.

References

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