



STATE OF NEW MEXICO 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 State Purchasing Agent or, for Professional Services Agreements, the Secretary of the General Services Department. The foregoing requirement is regardless of whether the *sole source request for determination* has been signed by the Agency and/or the Contractor.

I. Name of Agency: New Mexico Administrative Office of the Courts

Agency Chief Procurement Officer: Constance Padilla

Telephone Number: 505-827-4840

Agency Contact for this request: Bernice Ramos, Language Access Services (LAS),
Administrative Office of the Courts (AOC)

Telephone Number & Email Address: 505-231-1681, aocbar@nmcourts.gov

II. Name of prospective Contractor: Leo Gonzales

SHARE Vendor Number (must be active): 0000021340

Address of prospective Contractor: 2252 Camino Iris, Santa Fe, NM 87505

Contact Name, Telephone Number and Email Address:

Leo Gonzales, 505-927-5339, leorgsolutions@gmail.com

Amount of prospective contract before tax: \$150,000 x 2 years = \$300,000

Estimated tax amount (tax is subject to change):

Term of prospective contract: One-year (1) contract, plus one-year (1) renewal.

III. Agency is required to state purpose/need of purchase and thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract (if this is an amendment request to an existing contract, include current contract number issued by SPD):

Project Background

State courts have a legal obligation to provide equal access to justice for all individuals. In this regard, New Mexico faces several specific challenges: it has one of the lowest literacy rates in the country and one of the highest concentrations of Limited-English Proficient (LEP) individuals. Further, Native American court users, whose native languages are descriptive and oral-based, often find the legal language of the courts difficult to understand due to linguistic and cultural barriers. More recently, the need for social

distancing due to the COVID-19 Pandemic has posed an additional challenge for the courts to be able to provide quick self-help services at first point of contact and interpreting services, given that many participants appear remotely.

To address the above stated challenges, Language Access Services (LAS) has worked on two (2) projects, which are now ready for statewide implementation: The *Clara Smart Courthouse Kiosks* and *Clara Connect*, the proprietary remote interpreting application. As noted, both projects have become increasingly important in improving access to court services in light of the pandemic. The *Clara Smart Courthouse Kiosks* provide quick self-help at first point-of-contact (the application will be available in multiple languages in the near future), while the *Clara Connect* application allows for simultaneous remote interpreting services.

The primary role of the proposed Contractor is to provide support in coordinating software development and refinement, configuration and statewide implementation of the above mentioned projects.

Smart Courthouse Kiosks

To date, the *Clara Smart Courthouse Kiosks* have been piloted in three jurisdictions: Santa Fe, Taos, and Roswell. The kiosks include an interactive avatar, *Clara*, who guides court users through the menu system and answers frequently asked questions. For this, the kiosks include voice navigation and rely on Natural Language Processing (NLP), a branch of artificial intelligence (AI). Hence, information is presented in a simple interactive user-friendly manner.

To date, the *Clara Smart Courthouse Kiosks* have four key functions that are displayed as icons on the kiosk's main menu: Directory, Today's Hearings, Forms, and FAQs. Users also have the option to connect to a live operator (clerk) and an interpreter.

Self-represented litigants (SRLs) can ask for directions within the courthouse through the directory or the Today's Hearings menu items. They can ask questions such as "How do I get a divorce?" and the kiosks will present options to obtain forms, the Dissolution of Marriage informational packet, or the FAQs section for additional information. SRLs can ask a variety of questions such as "Where do I go for...?" or say "I have jury duty," *Clara* will then show directions or provide options for the user to choose from.

Next steps include refinement of the software platform, configuration, and training and support of AOC staff and state courts, which will allow LAS to implement the program statewide. The proposed Contractor, who was formerly employed with the NM Judiciary, was instrumental in assisting with the configuration and set up of the kiosks within the judiciary's existing infrastructure.

Clara Connect

Clara Connect is the Language Access Services' proprietary interpretation software and allows interpreters to appear remotely for court hearings. The *Clara Connect* platform allows for a combination of in-person, remote video appearances, and telephonic appearances by all or some of the courtroom participants in addition to the remote

interpreter.

Clara Connect's v1 has also been used for livestreaming of Supreme Court hearings during the Pandemic, which increased public access to oral arguments in light of the need for social distancing and resulting limited room capacity.

The next steps for *Clara Connect* include additional testing in the pilot courts and rollout to additional District and Magistrate courts.

Scope of Work

1. Coordinate software development, configuration and implementation of the Language Access Services' *Clara Smart Courthouse Kiosks*.
 - Provide technical support and training to AOC and court staff in the use of the smart kiosks.
 - Work with jurisdictions to ensure adequacy of infrastructure and connectivity for the successful installation and operation of the kiosks.
2. Coordinate software development, implementation, and upgrades of *Clara Connect*, the Language Access Services' proprietary interpretation software.
 - Provide assistance, technical support, and training to AOC staff and state courts in the use of the *Clara Connect* custom application.
 - Work with jurisdictions to ensure adequacy of infrastructure and make recommendations for the acquisition of hardware and video conferencing equipment to Language Access Services.

Other work related to upgrading and implementing *Clara Connect* and *Clara Smart Courthouse Kiosks* as directed by the Language Access Services Sr. Statewide Program Manager and the Deputy Court Services Division Director.

- IV. Provide a detailed 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.)

Smart Courthouse Kiosks

The Contractor has been assisting with the above mentioned on-going projects. As noted, the *Clara Smart Courthouse Kiosks* intend to remove language, literacy, and accessibility barriers that self-represented litigants often find when trying to find directions, forms, and basic court and hearings information. For example, *Clara* can tell the user what time their hearing is, and how to get to the courtroom where their case is being heard. Court users can also get the forms they need emailed to themselves or pick up a printout at the Clerk's office.

The *Clara Smart Courthouse Kiosk* software platform is designed to work with kiosk hardware that has specific types of camera, sensors, speaker and directional microphone. The software works with the kiosk hardware to recognize when the avatar on the kiosk is to engage and communicate with the person in front of the smart kiosk. The *Clara Smart Courthouse Kiosks* integrate the following technologies:

- Human-Computer-Interaction (HCI) Voice-User-Interface (VUI) software platform
- “Clara,” the NM Judiciary’s LAS interactive multilingual language access avatar
- Natural Language Processing (NLP) – a branch of Artificial Intelligence to answer the public’s questions
- Speech recognition and voice command
- Speech-to-text technology
- Text-to-speech technology
- Telepresence feature that integrates interpreting platform

The Contractor must be able to coordinate complex software development, upgrades, and installation of the NM Judiciary’s proprietary *Clara Smart Courthouse Kiosks* and *Clara Connect* application to function within the judiciary’s varying local infrastructures.

In order to refine, maintain, and expand the use of the kiosks to other courts, the Contractor must have a thorough understanding of the proprietary software and the needs of the New Mexico Judiciary.

Clara Connect

The Contractor has been involved with the development of *Clara Connect* and was instrumental in rolling out this application for use by the Supreme Court for livestreaming of oral arguments during the Pandemic. The New Mexico Supreme Court Building has been designated as an historical building. With this designation, structural changes that might harm the historical integrity of the building cannot be made. The Contractor was aware of this designation and has ensured that camera installation remained within the parameters allowed for the historical structure.

- 1) *Clara Connect* for New Mexico courthouses requires expert knowledge of the cloud video conferencing platform and courtroom audio/video hardware peripherals. Expertise in New Mexico courthouses’ infrastructure and video remote interpreting technical requirements are to achieve statewide successful implementation of the *Clara Connect* application.
- 2) *Clara Connect* uses sophisticated audio mixers, video cameras, and uni-directional microphones in the courtroom to avoid any echo, noise, or feedback in large room settings.
- 3) Connecting *Clara Connect* to existing Polycom devices and networks requires expertise in cloud video conferencing systems.

- 4) The New Mexico court system has an existing audio recording system, For the Record (FTR), used for recording the official record of court proceedings. *Clara Connect* is unique in that it works parallel to FTR when integrated with the current FTR system. The same microphones and audio system are both used by FTR and *Clara Connect*, yet the input goes to each platform separately. *Clara Connect* does not pass this audio to FTR, FTR picks up the audio using the same court microphones that *Clara Connect* is using. FTR has its own recording, and *Clara Connect* has its own video/audio recording for a 30-day hearing backup and for livestreaming. This parallel dual service is unique to the setup working with *Clara Connect*.
 - 5) *Clara Connect* provides livestreaming of the courtroom hearing to the court's website by tying into the existing Polycom system or using its interface.
- 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.”)

Smart Courthouse Kiosks

The Contractor will work in collaboration with contract software developers to the Advanced Robot Solutions' (ARS) to continue to modify and customize the NM Administrative Office of the Courts' proprietary *Clara Smart Courthouse Kiosks*. The Contractor will perform the scope of work as described in Section III.

Hence, the Contractor's industry (court experience) and history of prior work with the ongoing project of implementing the *Clara Smart Courthouse Kiosks* within the judiciary's infrastructure fits our specific needs to successfully deploy the kiosks to additional courthouses.

Clara Connect

Clara Connect has been used by the Supreme Court to livestream its oral arguments on a monthly basis. The Supreme Court is in an historic building and the Contractor is already working within the parameters in place to preserve the historic integrity of the New Mexico Supreme Court Building. Additionally, the Contractor possesses expertise and several years of experience in working with varying courthouse infrastructure and connectivity across the state.

The Contractor's prior work in the field along with his knowledge of the judiciary's infrastructure within each judicial district has allowed this project to remain on schedule for its rollout. During the testing phase, the Contractor has been able to troubleshoot issues that arise, such as identifying when the judiciary's firewalls do not allow the application to work properly and provide solutions.

- 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.***

After extensive research, LAS could not find any other vendor that has the specialized experience in coordinating the software development refinement needed to implement and install the proprietary kiosks within the judiciary's infrastructure. The Contractor has since retired from the judiciary and has become an independent contractor. The *Clara Smart Courthouse Kiosks* project is nearing the final stage for launching to additional courts. There would be a significant delay with the project by bringing in an outside contractor who would need to be trained.

The Contractor meets the fundamental specific needs of the project with his experience in providing support in the coordination of software development, configuration, and implementation of the Judiciary's proprietary *Clara Smart Courthouse Kiosks*.

The Contractor has been working alongside Advanced Robot Solutions and is able to coordinate the customization of the software existing platform to meet the project's critical functions and grant proprietary rights over the finished product to AOC.

With regard to the *Clara Connect* application, the Contractor provides invaluable subject matter expertise, which includes his feedback in the platform's development and rollout, ability to ensure the integration with the judiciary's infrastructure, and thorough understanding of the court's various audio and visual systems.

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

The *Clara Smart Courthouse Kiosks* and *Clara Connect* application projects require the use of sophisticated audio and video equipment as described in Section IV above. The Contractor's expertise with the judiciary's various courthouses has been instrumental with the development and planning for the implementation phase of both projects. To date, LAS has been unable to find another contractor with similar experience. A new contractor without the specified background and expertise would cause a significant delay in the implementation and rollout of both projects as the projects would face significant downtime to bring someone up to speed with the projects.

As mentioned above, after extensive research and contacting a variety of sources, LAS found no other vendor that could perform the scope of work as described herein.

- 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; contacting similar service providers; and reviewing the State Purchasing Divisions' Statewide Price Agreements. 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.

Smart Courthouse Kiosk

The Contractor has been working alongside software developers since the beginning of the kiosk project, and has been instrumental in the development and implementation of the kiosk project to the three pilot courts.

Clara Connect

The Contractor has worked alongside the software developers on the implementation, installation, deployment, and maintenance of the *Clara Connect* application, and the equipment and setups needed for successful implementation require extensive knowledge of the courts' network, firewalls, and infrastructure.

Both projects are proprietary to the New Mexico Judiciary's Language Access Program. LAS reached out to software/IT vendors for the State of New Mexico. Five vendors were contacted and the two who returned the calls advised either that they did not perform the work as outlined above or that because it was a proprietary kiosk and software application, the amount of time and resources it would take to be brought up to speed would not be cost-effective for either LAS or the vendor.

Businesses contacted:

ABBA Technologies, abbatech.com (Richard)
Abrazo Technologies, abrazo-tech.com (Marquita)
Access Technologies, atisw.com
Advanced Network Management, anm.com
CWS Enterprises, LLC, newmexicobids.us

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