



DATE: 3/7/2017
TO: Brenda J. Billingsley, Director of Purchasing
THRU: Yvette Capita, ETS PMO Manager
FROM: John Bruno, CIO, Enterprise Technology Services
PROJECT TITLE: Micro Focus Server for COBOL

REQUISITION No.:

SOLE SOURCE/SOLE BRAND REQUEST

I. REQUEST: Provide a description of the features of the product/service or Scope of Work.

Micro Focus software is required to run the County's current Payroll/Human Resources/Position Control system, CYBORG, which has been used for processing Payroll and Human Resources transactions. ETS has licensed the Micro Focus licenses and has gone through several generational upgrades since 1997.

With the delay in the implementation of the PeopleSoft Human Capital Module (HCM) and the desire to run this new module in a parallel mode with CYBORG after its initial implementation, Broward County needs to renew the licensing agreement with Micro Focus in order to continue to use the CYBORG system.

Micro Focus Server for COBOL is only maintained by Micro Focus and is sold via authorized resellers. As the sole owner of the Micro Focus support programs, Micro Focus will only grant their authorized resellers the ability to sell Micro Focus support programs as a commodity.

II. JUSTIFICATION: Please check all boxes that describe your reason(s) for determining that only one source or brand is reasonably available.

Only Sole Source/ Uniqueness

- Proprietary Item - this vendor/source has the only rights to provide this service or commodity. A letter from the manufacturer or authorizing entity is included in this request.
- Technology Improvements - updates or upgrades to an existing system, software, software as a service (SaaS), hardware purchases.
- Engineering Direction - engineering drawing or specification identifies product; "no substitutes or equivalents will be acceptable."
- Only qualified supplier - reliability and maintainability of the product or service would be degraded unless specified supplier is used; may void warranty. This request includes a copy of the current warranty information.
- Other/or Additional information – the County requires this sole source, sole brand purchase for the following reasons:

A reasonable sole brand designation is needed for Micro Focus COBOL to be utilized for this purchase as this software is the only product that is certified by our payroll vendor, SumTotal, to compile application source code, and allow the County to maintain our current support and provide for required changes to the CYBORG system. (Please see the attached information from SumTotal.)

Business Case (One/Most Reasonable Source or One/Most Reasonable Brand)

- Operational Compatibility - replacement parts from alternate suppliers are not interchangeable with original part and causes equipment incompatibility. Previous findings and/or documentation is included with this request.
- Ease of Maintenance - maintenance or retooling prohibits competition. Section III, Comparative Market Research includes estimated costs associated with changing current source and/or brand.
- Follow-On - potential for continued development or enhancement with same supplier and eliminates costs incurred by using different supplier. Section III, Comparative Market Research includes estimated costs for replacing current or existing system.
- Complies with existing community and safety standards, and/or laws, rules, and regulations.
- Exempted from the Procurement Code – per Section 21.18 of Broward County Administrative Code.
- Other/or additional informaton – using this sole source, sole brand purchase benefits the County for the following reasons:

The renewal of these software licenses will allow Broward County to continue to use the CYBORG Payroll/Human Resources/Position Control system until the full migration to PeopleSoft HCM is complete.

Due to the delay with the HCM implementation, it is recommended that Broward County renew the licenses for 2 years with 3 one year optional extensions. This will allow Broward County the flexibility it should need to accommodate the current delay in implementation and the desire to run the old and new system in parallel after initial implementation of HCM.

III. COMPARATIVE MARKET RESEARCH: Provide a detailed source or market analysis for justification of sole source/brand or most reasonable source (attach extra sheets as needed).

Estimated project value: Contract length (if applicable):

Expenses to date:

Has this commodity or service been previously provided to the County? Yes No

If yes, when and by whom?

How was item/service procured?

What is the current contract (MA) or purchase order number?

If this is a sole brand, is there an "authorized" dealers list? Yes No (include "authorized" dealers list if Yes)

Cost/Benefit Analysis: What would the cost be to utilize an alternate vendor or source? This explanation should include the savings and/or additional costs to the County by not using the preferred vendor or source.

*Attach additional sheets if needed.

Based on the Micro Focus website, there are two other vendors authorized to do business in Florida. They are SHI and TechData. Quotes were received from both the parent organization, Micro Focus, and SHI. The Micro Focus quote was \$89.39 less expensive per year than SHI. Since the Micro Focus quote is less expensive, and since we have been dealing directly with Micro Focus for a number of years, it is recommended that we continue to deal directly with Micro Focus for this extension. (Please see the attached quotes.)

Please note that the Expenses-to-date only include expenditures from September, 2012 through January, 2017 as previous records are not readily available.

CERTIFICATION: I have thoroughly researched the sole source or sole brand justification and fully understand the implications of Section 838.22 of the Florida Statutes:

(2) "It is unlawful for a public servant, with corrupt intent to obtain a benefit for any person or to cause unlawful harm to another, to circumvent a competitive bidding process required by law or rule by using a sole source contract for commodities or services."

(5) "Any person who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084"

Carlos R. Alvarado

REQUESTOR/EVALUATOR
(PRINT)

Carlos Alvarado
Digitally signed by calvarado@broward.org
DN: cn=calvarado@broward.org
Date: 2017.03.07 11:11:18 -05'00'

REQUESTOR/EVALUATOR (SIGN)

3/7/17

DATE

John Bruno

DEPT./DIV. DIRECTOR OR
DESIGNEE (PRINT)

John Bruno
Digitally signed by JOHN BRUNO
Date: 2017.03.07 14:08:39 -05'00'

DEPT./DIV. DIRECTOR OR DESIGNEE
(SIGN)

3/7/17

DATE

The Purchasing Agent has reviewed the request and has completed the required due diligence per the Procurement Code Section(s) 21.34 and 21.35. The Purchasing Agent recommends the following:

Sole Source Sole Brand Reasonable Source RFI attached Rejected

Additional Information: Request Authorization to Negotiate

I concur with the above request as a Sole Brand procurement. Broward County's payroll vendor, SumTotal Systems, LLC uses Mirco Focus, and is a requirement of the Cyborg payroll system.

Purchasing Agent Signature: MICHAEL MULLEN
Digitally signed by MICHAEL MULLEN
DN: dc=clty, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU,
ou=Users, cn=MICHAEL MULLEN
Date: 2017.04.12 08:38:53 -04'00'

Date: 4/12/17

KAREN WALBRIDGE
Digitally signed by KAREN WALBRIDGE
DN: dc=clty, dc=broward, dc=bc,
ou=Organization, ou=BCC,
ou=PU, ou=Users, cn=KAREN WALBRIDGE
Date: 2017.04.26 11:03:54 -04'00'

APPROVAL AUTHORITY

REASON/SUGGESTED ACTION (IF DISAPPROVED):

My approval for the extension will be for one year only with a competitive solicitation to be processed for a replacement contract.

Signature: GLENN MARCOS
Digitally signed by GLENN MARCOS
DN: dc=clty, dc=broward, dc=bc, ou=Organization,
ou=BCC, ou=ETS, ou=ERP, ou=Users, cn=GLENN
MARCOS
Date: 2017.05.24 00:13:21 -04'00'

Date: 5/25/17